



**CEPPS/NDI Quarterly Report: December 1, 2004 to March 31, 2005**

**ZIMBABWE: SUPPORT TO ZIMBABWEAN CITIZENS**  
**USAID Associate Cooperative Agreement No.: 690-A-00-05-00023-00, under the**  
**Leader Cooperative Agreement No.: DGC-A-00-01-0004-00**

**Project Dates: December 1, 2004 to November 30, 2005**

**I. SUMMARY**

Genuine, democratic elections in accordance with regional and international standards remain the best hope for resolving the political crisis in Zimbabwe. As such, the National Democratic Institute for International Affairs (NDI or “the Institute”), with support from the U.S. Agency for International Development (USAID) is implementing a program to: increase international and regional understanding of the situation in Zimbabwe; and assist domestic organizations to monitor elections.

During this quarter, parliamentary elections were held to elect 120 of the 150 members of the Zimbabwean legislature (the remaining 30 seats are appointed by the president). The ruling Zimbabwe African National Union – Patriotic Front (ZANU-PF) was awarded 78 seats while the official opposition was awarded 41. Most credible international observer organizations, such as the Commonwealth, European Union (EU) and the Southern Africa Development Community Parliamentary Forum (SADC PF), were denied accreditation. Only states and institutions viewed by ZANU-PF as friendly were invited to observe and, not surprisingly, found that the elections represented the will of the Zimbabwean people. However, domestic observers, under the Zimbabwe Election Support Network (ZESN), noted problems with the legal framework, the political climate of the country, large number of voters being turned away and not being permitted to vote and irregularities in the tabulation of results that led them to question the freedom and fairness of the election. While the government engaged in electoral reforms and did provide for greater political space during the run up to the election, these changes were limited in nature and insufficient to undo the damage done by a five-year state sponsored campaign of violence and intimidation against all independent voices in the country.

The vast majority of NDI’s programmatic efforts this quarter focused on domestic monitoring for the 2005 parliamentary elections. NDI entered into a subgrant agreement with the nongovernmental organization (NGO) ZESN to provide financial support to train and deploy both long- and short-term observers for the March 31 elections. Through this support, ZESN was able to deploy 60 of 240 long-term observers during the campaign period and 2,500 of 6,000 short-term observers for election day. However, as in past elections, accreditation for ZESN remained highly problematic as the Ministry of Justice made the process extremely bureaucratic and costly (charging a fee of Z\$100,000 or \$17 per observer).

NDI also provided technical assistance to ZESN to monitor the 2005 parliamentary elections. Due to the relative late start date of the program, support focused on the development of reporting forms, the establishment of a rapid response system to quickly relay more information to the National Command Center, and the creation of a database of facilitate the analysis of monitoring data.

With support from this program, ZESN issued two pre-election statements based on reports received from its long-term observers. Further, ZESN was able to turn in a significant number of monitoring reports on election day. This enabled the organization to make the first public statement on the conduct of voting of any monitoring organization. This report highlighted early in the process the problem of large numbers of eligible voters being turned away from the polling stations and not permitted to vote.

However, ZESN experienced problems receiving all of its monitoring data as rapidly as had been hoped. In particular, there were difficulties in quickly collecting vote count information from individual polling stations to help verify the announced results. While ZESN did not state that it would conduct a Parallel Vote Tabulation (PVT) or Quick Count, this information would have been critical in helping expose fraud that is alleged to have occurred during the tabulation process. ZESN is currently in the process of gathering additional information and conducting further analysis of the announced results.

Few programmatic activities were conducted this quarter with respect to outreach. With the elections on March 31, most democratic leaders felt that it was the wrong time to travel outside of the country. Additional advance work was done for possible outreach missions to Malawi, Senegal and the United States, but no outreach missions were conducted during this quarter.

Next quarter, NDI will focus on providing assistance to ZESN to further analyze its monitoring data and work with ZESN to evaluate its performance during the 2005 parliamentary elections and identify lessons learned. Further, the emphasis of the initiative will shift to supporting outreach efforts by democratic leaders to provide information on the situation in Zimbabwe.

## **II. BACKGROUND**

### *Political Context*

Zimbabwe held parliamentary elections on March 31, 2005. Seventy-eight of the 120 elected seats were awarded to the ruling Zimbabwe African National Union – Patriotic Front (ZANU-PF) party, while the Movement for Democratic Change (MDC), the official opposition, was awarded 41 seats and one seat was awarded to an independent candidate, Jonathan Moyo (formerly ZANU-PF’s minister of Information). The MDC has filed official complaints challenging the results in 13 of the 78 constituencies won by ZANU-PF, citing irregularities in the elections.

Domestic observers, organized by the Zimbabwe Election Support Network (ZESN), strongly criticized the pre-election climate within which the elections took place and the legal framework for elections. Further, they raised concerns about the number of voters turned away from polling stations and not permitted to vote as well as the lack of transparency in the tabulation of results. Most worrying were discrepancies between the turnout figures initially announced by the election officials and the final results. In approximately 30 constituencies, the number of votes cast, as officially announced, exceeded the official turnout figures by up to 10,000 votes.

All of the international groups accredited by the government gave their approval to the election. While most refrained from stating that the elections were “free and fair” and they did note some shortcomings, these groups ultimately concluded that the elections reflected the will of the Zimbabwean people. However, the government was very selective in who it accredited to observe the elections. Organizations from the United States and the United Kingdom were not permitted to observe the elections, and the Commonwealth and the EU were not accredited. Further, regional groups such as SADC Parliamentary Forum (SADC PF) and Electoral Institute of Southern Africa (EISA) did not receive invitations. All of these groups in the past have been critical of the conduct of elections in Zimbabwe.

During the run-up to the elections, the government enacted two major pieces of legislation reforming Zimbabwe’s electoral framework. One bill created a new independent election commission, the Zimbabwe Election Commission (ZEC), to oversee the conduct of elections. However, this legislation did not achieve its stated goals in two important respects. First, the commission that was created is independent in name only. Second, and equally troubling, important aspects of the electoral process remain outside the responsibility of the new election commission. Most notably, the registration of voters, which was extremely problematic and led to more than 130,000 voters being turned away on the March 31 election date according to election officials themselves, remains the responsibility of the discredited Office of the Registrar General.

The second piece of legislation focuses more narrowly on changes to electoral practices. This law introduced some important reforms in line with the new SADC elections protocol (and the RESTORE! document), such as shifting from two days of voting to only one and changing the location of where ballots are counted from centralized counting centers to the polling stations themselves. While these reforms are significant they are not sufficient on their own to create the confidence needed for the election process to be seen as credible.

With respect to the political climate within which the elections took place, during the final weeks of the campaign there was a marked change in Zimbabwe. For the first time in five years all political parties were able to campaign across the country. In the past, ZANU-PF using both the state machinery and its supporters, has physically prevented opposition parties from traveling to rural communities. Violence, while not eliminated, was reduced across the country. While opposition parties continued to have to comply with the draconian Public Order and Security Act (POSA) and, on occasion, their election related events were broken up by police, overall, the police permitted opposition parties to campaign. However, reports of intimidation by ZANU-PF supporters remained widespread and it must be remembered that this brief new period

of openness comes against a five-year government-orchestrated campaign of violence and intimidation against the MDC and its supporters.

### *NDI Program*

Within this difficult environment, NDI is working to promote “free and fair” electoral practices in Zimbabwe by providing technical assistance in two primary areas—outreach and domestic monitoring. The Institute’s program is composed of the following two interrelated objectives:

- Increase international and regional understanding of the situation in Zimbabwe and the need for electoral reforms in line with the “SADC elections protocol;” and
- Ensure that NGOs involved in domestic election monitoring are trained to monitor the 2005 parliamentary elections according to the standards articulated in the “SADC elections protocol.”

This program represents a continuation of an initiative funded by USAID through the CEPPS leader cooperative agreement, and is funded under a follow-on CEPPS associate award.

## **III. PROGRAM ACTIVITIES**

### *Outreach*

Efforts this quarter with regard to outreach were limited due to the March parliamentary elections. Most democratic leaders felt that it was an inopportune time to travel outside of the country. NDI’s efforts, therefore, focused on conducting preparatory work in advance of future outreach missions. Given that little has changed in the political situation in Zimbabwe, it was expected that the elections would fail to resolve the impasse and that the crisis would continue. Outreach will, therefore, remain important in the post-election environment to help policy makers from across the region and around the world understand the elections.

Preparations focused on possible outreach missions to Malawi, Senegal and the U.S. With respect to Malawi, NDI consultant Adrian Muunga traveled to Malawi in January and held meetings with political, civic, trade union, business and religious leaders about a possible Zimbabwe delegation to the country. All groups, including representatives of President Bingu wa Mutharika, expressed great interest in meeting with a possible Zimbabwe delegation to discuss the situation in the country.

### *Domestic Monitoring*

NDI entered into a subgrant with ZESN to provide financial support for domestic observation of the 2005 parliamentary elections. ZESN is a network of 35 human rights civic organizations that focuses on: voter education; election observation; media monitoring and information; advocacy; and electoral reforms research. NDI provided technical assistance to ZESN for the 2003 local government elections as well as financial and limited technical

assistance for the 2002 presidential election.

The \$500,000 subgrant provided support for: the training and deployment of approximately 60 of 240 long-term observers for the pre-election period; the training and deployment of 2,500 of 6,000 short-term observers for election day; and approximately 40 percent of ZESN's operating costs. In addition to NDI, ZESN is receiving funding from a number of other donors. This grant became effective on January 1. While an end date of November 31 was originally agreed upon, NDI and ZESN are currently in discussion about moving the end date for this subgrant forward, given that all activities and accounting related to the 2005 parliamentary elections should be concluded well before that date.

Due to the large amount of funds involved with the subgrant to ZESN; the short period during which ZESN would expend the resources; and the difficult environment in Zimbabwe, NDI sent Vijaya Chandarpal, senior subgrant accountant, to Harare for five days to review financial control procedures with ZESN's accounting and management staff and to ensure that ZESN's accounting practices comply with NDI and USAID regulations. Chandarpal was reassured by ZESN's current practices as well as the institution's openness to suggestions from NDI about ways their financial control and accounting procedures could be further enhanced.

In late January, ZESN conducted three training workshops for long-term observers. Afterward, it deployed two long-term observers to all 120 constituencies. For two months prior to the elections, the long-term observers submitted weekly reports to the ZESN headquarters on the conduct of the election. Following the deployment of the long-term observers, ZESN began the long process of training short-term observers for election day. This process began with a Training-of-trainers (ToT) workshop the first week of February, attended by 50 ZESN trainers. In subsequent weeks, ZESN went on to train just over 6,000 short-term observers.

As in past elections, ZESN experienced significant problems with accreditation. The government of Zimbabwe has been more than willing to ban organizations that have been critical of the conduct of elections in the country. ZESN has had to manage an extremely difficult political environment to continue to be accredited to observe elections. Even with the establishment of the Zimbabwe Election Commission (ZEC), accreditation for domestic observers was again handled by a government ministry (Ministry of Justice), and domestic observers were required to pay for the right to observe the election process. For this election, the fee was Z\$100,000 or \$17 per observer – which is a significant cost when seeking to accredit 6,000 observers. However, most disrupting to ZESN's overall domestic observation effort was the government's continued insistence that accreditation is done for individuals and not organizations and that all 6,000 short-term observers must personally travel at their own personal expense to Harare or Bulawayo to be accredited. Not only was this process expensive, but it was a huge logistical operation that diverted ZESN limited resources and energy right on the eve of the election.

While only limited financial support was available for NDI to provide technical assistance to ZESN, the Institute provided intensive technical support during the weeks running up to election day. ZESN requested NDI assistance to help design summary reporting forms for its supervisors. NDI worked with ZESN staff to create one-page, easy-to-use and easy-to-fax

reporting forms for opening polling stations, morning voting, afternoon voting and ballot counting. Each form captured summary monitoring information and allowed the data to be transmitted rapidly to ZESN's National Command Center. Using these forms, ZESN was able to collect and transmit information on the opening, voting and counting process from more than 1,000 polling stations to the National Command Center on election day.

NDI also provided technical assistance to ZESN to develop a system for the rapid transmittal of vote counts from individual polling stations to the National Command Center. To maximize speed, NDI helped ZESN select a representative sample of 500 polling stations chosen at random from which vote counts would be collected immediately upon the conclusion of counting and transmitted to the National Command Center. However, unfortunately, this system did not work as intended. The election officials in many instances refused to let ZESN observers out of the polling stations until the vote counts had been transmitted to Harare and announced on television. Further, there was insufficient time to fully develop and implement the rapid response system.

In addition to providing financial support for expenses related to the training workshops and deployment of the observers, NDI Zimbabwe Director Richard Klein worked with ZESN database managers to: build the database for entering and tabulating observation results; provide briefings to ZESN's data analysis team on techniques for analyzing the results; and design ZESN's system for a rapid assessment of election day observation, including identifying the random sampling of polling stations in the constituencies. Additionally, NDI Washington-based Senior Program Officer Gemima Neves traveled to Harare to provide ZESN with assistance for managing the disbursement of observation funds in the lead up to the election as well to provide guidance at the National Command Center on the layout (for the legal, medical, media and data entry departments) and training of the telephone operators, data capturers and data managers. In the next quarter, NDI will hold a post-election lessons-learned meeting with ZESN staff to review areas of success and improvement for future activities.

To support the analysis of observation data, NDI worked with ZESN nascent information technology (IT) staff to create an election day database. The database was designed to facilitate rapid and accurate data entry and to produce reports by constituency, province and the country as a whole on the conduct of the election. Finally, NDI staff assisted in the design, setup and operation of the ZESN National Command Center.

Through financial and technical assistance provided through this program, ZESN was able to deploy long- and short-term observers, monitor the pre-election period and election day, and issue a total of four statements on the electoral process (two pre-election statements, an interim election day statement and a final statement). ZESN issued statements highly critical of the election. In all of its statements ZESN rightly stressed the short comings of the electoral framework and the political environment and noted that that, while there had been electoral reforms and improvements in the political climate, these were insufficient to provide the basis for "free and fair" elections.

Finally, ZESN highlighted two important weaknesses on election day that fundamentally undermine the legitimacy of the election process. First, ZESN monitoring reports from morning voting began to pick up a large number of polling stations where people went to vote, but were turned away. This problem was confirmed by afternoon reports. Early Friday morning, the Zimbabwe Election Commission itself announced that in six provinces more than 130,000 potential voters had been turned away and not permitted to vote. Second, ZESN's report also highlighted discrepancies between the turnout figures initially announced by the Zimbabwe Election Commission early on Friday morning and the results announced later that night and the following day. In more than 30 constituencies, the number of votes cast according to the announced results far exceeded the number of voters according to official turnout figures. In some cases, the increase in votes over turnout was 60 percent. In total, the number of people turned away from the polls and the dubious increase in the number of voters was large enough in 24 constituencies to change the outcome of the election.

#### **IV. RESULTS AND ACCOMPLISHMENTS**

*Objective 1: Increase international, and in particular regional, understanding of the situation in Zimbabwe and the need for electoral reforms in line with the SADC "elections protocol."*

Indicators:     Number of events attended and meetings held with high-level political and other leaders held by democratic voices from Zimbabwe;

Number of public statements issued and news reports in print, radio and television in the region and internationally as a result of events attended by political party leaders; and

Number of statements by high-level political leaders critical of undemocratic practices in Zimbabwe.

No activities this quarter were conducted with respect to Objective 1, as the program's focus was on Objective 2 and the election. Preparations were made for outreach activities that will take place in the future. It is anticipated that beginning next quarter there will be information to report on this objective.

*Objective 2: Ensure that NGOs involved in domestic election monitoring are trained to monitor the 2005 parliamentary elections according to the standards articulated in the "SADC elections protocol."*

Indicator:     Number, quality, and timeliness of reports received from domestic monitors based on the standards set out in the SADC "elections protocol."

With support from NDI, ZESN developed monitoring checklists to capture quantitative data from a large number of short-term election day observers. Further, these forms were specially designed to enable data to be collected through out the day – rather than all of the data being received after the closing of the polls and the counting of ballots. This system had been initially introduced by NDI to ZESN for the 2003 local government elections and ZESN was

successfully able to reintroduce the system for these elections.

Because of this reporting system, ZESN was able to receive and process reports from more than 1,000 polling stations located across the country, first on the opening of polls and on the conduct of voting in the morning. As a result, ZESN had its own independent data suggesting that the polling stations had by-in-large opened without incident and that, while voting was proceeding smoothly, large numbers of voters were being turned away and not permitted to vote. This confirmed concerns voiced by ZESN and others prior to election day about inadequacies in the voters list.

Indicator: Number of quality statements issued by civic organizations on the conduct of elections based on the standards set out in the SADC “elections protocol.”

To date, ZESN has issued four statements on the 2005 parliamentary elections. Two preliminary statements were issued during the pre-election period. These statements characterized the limitations of the legal framework for elections in Zimbabwe as well as the short comings in the political environment within which the elections took place. While the reports noted that the political climate had improved, they also noted that this improvement occurred against a backdrop of five years of violence and intimidation. While these reports were issued prior to election day, they could have been issued earlier in the process and with greater media attention (especially from international media). However, they still played an important role in documenting the electoral process and putting ZESN on record about the conduct of the election. These reports would not have been possible without the training and deployment of long-term observers, which was partly made possible through this program.

ZESN issued two press statements during the course of the election itself. The first was issued the afternoon of Friday April 1. This statement was important for four reasons:

1. It was the first statement on the election day activities themselves and therefore helped set the tone for the election;
2. It identified voters being turned away from polling stations and not being permitted to vote as an area of concern;
3. It continued to draw attention to the inadequacies of the pre-election period; and
4. It focused media attention on domestic observers and away from hand picked international observer groups.

Finally, ZESN issued a press statement two days after the election, which provided the group’s overall analysis of the entire election process. The statement argued that neither the electoral framework nor the pre-election climate satisfied the conditions set out in the SADC elections protocol, and that these conditions seriously undermined the legitimacy of the polls.

## **V. EVALUATION AND RECOMMENDATIONS**

The Zimbabwe parliamentary election took place under a recently improved political environment arising from a background of five years of violence and intimidation. While there have been some electoral reforms, these reforms were insufficient and too late to be meaningful



for 2005. Democratic opposition parties were able to take advantage of the new level of electoral tolerance that had not existed for years. While for the first time, the democratic opposition leaders and candidates were able to travel and campaign in a relatively calm, peaceful environment throughout the country; the new opening of political space proved insufficient as it occurred only three weeks prior to the election date. ZESN was also able to field more than its anticipated number of observers, yet the late implementation and centralized nature of the accreditation process ultimately hampered the organization's effectiveness. Three months ago it was doubtful whether the Zimbabwe Election Support Network (ZESN) would still legally exist and most thought that the democratic opposition could be reduced to less than 10 seats.

ZESN monitors elections in one of the most difficult political environments in the world and, as with observation efforts in the past, ZESN continued to make improvements in its monitoring. One should not lose sight of the degree to which the government goes to destabilize domestic monitoring in Zimbabwe. Having stated this, ZESN itself recognizes that there were limitations to its efforts to monitor the 2005 parliamentary elections and that the organization must continue to learn from its experiences.

For example, ZESN experienced problems receiving vote count information from polling stations. This information was critical, as it would have provided verification of the results announced by the election officials. It is clear that the regulations governing the counting process were designed to impede ZESN efforts to collect this information quickly. It should be noted that ZESN never promised to conduct a PVT or Quick Count. Rather, ZESN was forced to use its limited time and resource battling with the Ministry of Justice for accreditation and was unable to focus on this issue.

Further, while ZESN's final press statement was rightly critical of the shortcomings of the election, it was not as clearly crafted as it might have been. As the central issue of the election had become, in some respects, the accuracy of the results as officially announced, the limitations ZESN experienced collecting vote count information from polling stations in a timely fashion undermined the relevance of the report. However, it is important to remember, as the ZESN report argues, regardless of the how the vote counts were tabulated, neither the electoral framework nor the pre-election climate satisfied the conditions set out in the SADC elections protocol and that this seriously undermines the legitimacy of the election.

It is strongly recommended that a long-term training program start as soon as possible with the goal of preparing ZESN for the 2008 presidential election. A clear memorandum of understanding (MOU) should be established defining the nature of the relationship and stating clear measurable objectives for the program. Technical assistance should also be provided to the leadership and secretariat to develop a generic strategic plan and timeline for monitoring elections – this plan should include components to conduct a PVT or Quick Count.

Long-term planning for the organization is key to ensuring thorough analysis and more timely results in the immediate post-election environment. Help should be offered to ZESN to conceptualize how to make better use of its member organizations and their resources, the ZESN nationwide structure and reporting strategy, and the development of a permanent monitoring

database. Support should also be provided to ZESN to monitor subsequent by-elections and the next local elections as trial runs to test new monitoring methods in advance of 2008.

## **VI. FUTURE ACTIVITIES**

During the next quarter, NDI will focus on outreach efforts designed to help the region and the international community come to a better understanding of the 2005 parliamentary elections and their meaning for Zimbabwe. Possible outreach missions are being considered to Mauritius to meet Prime Minister Paul Berenger (SADC chair), Nigeria to meet with President Olusegun Obasanjo (African Union chair) and Ethiopia to meet with African Union Commission Chair Alpha Konare. A delegation to the United States is also being contemplated. In addition, NDI will work with ZESN to assess the organizations performance observing these elections and to draw lessons to help further improve domestic monitoring of future elections.

## **VII. LIST OF ATTACHMENTS**

- Annex 1: ZESN Monitoring Forms
- Annex 2: ZESN 2005 Parliamentary Elections Preliminary Report No. 1
- Annex 3: ZESN 2005 Parliamentary Elections Preliminary Report No. 2
- Annex 4: ZESN 2005 Parliamentary Elections Interim Statement
- Annex 5: ZESN 2005 Parliamentary Elections Final Statement

## **Annex 1: ZESN Monitoring Forms**

1. Opening Procedures (2005-OP)
2. Voting Procedures Morning (2005-VPM)
3. Voting Procedures Afternoon (2005-VPA)
4. Counting Procedures (2005-CP)
5. Rapid Assessment (2005-RA)



# Zimbabwe Election Support Network (ZESN)



## Opening Procedures (2005-OP)

2005 Parliamentary Election (Thursday 31 March 2005)

(This information must be submitted to the National Command Centre by no later than 10h00)  
(Even if you visit a polling station more than once, make only one tick mark for each polling station!!!!)

1.1	Supervisor's Name.	
1.2	Constituency Name.	

Question		Tick Only Once Per Polling Station	Total
1.3	Number of polling stations visited		
1.4	Number of polling Stations <u>without</u> a ZESN observer		
	Comments/Details		
1.5	Number of polling stations where you were prevented from observing		
	Comments/Details		
1.6	Number of polling stations where the ballot box was shown to be empty before being sealed closed		
	Comments/Details		
1.7	Number of polling stations set up so voters could mark their ballots in secret		
	Comments/Details		
1.8	Number of polling stations <u>without</u> the necessary election materials		
	Comments/Details		
1.9	Number of polling stations with <u>more than one</u> polling agent		
	Comments/Details		
1.10	Number of polling stations with unauthorised persons present		
	Comments/Details		
1.11	Number of polling stations where there was an attempt to disrupt setting up or opening of the polling station		
	Comments/Details		
1.12	Number of polling stations where there were acts of intimidation or violence (inside, outside or near)		
	Comments/Details		
1.13	Number of polling stations where the polling officials appeared partisan		
	Comments/Details		
1.14	Overall Assessment – For each polling station tick one of three choices below		
	A) No problems		
	B) Minor Problems (Administrative errors)		
	C) Serious Problems (Manipulation/Rigging)		

I certify that all of the information contained on this form is truthful and accurate to the best of my knowledge.

Supervisor's Signature \_\_\_\_\_

Date \_\_\_\_\_



## Zimbabwe Election Support Network (ZESN)



### Voting Procedures Morning (2005-VPM)

2005 Parliamentary Election (Thursday 31 March 2005)

(This information must be submitted to the National Command Centre by no later than 13h30)  
(Even if you visit a polling station more than once, make only one tick mark for each polling station!!!!)

1.1	Supervisor's Name.	
1.2	Constituency Name.	

Question		Tick Only Once Per Polling Station	Total
1.3	Number of polling stations visited		
1.4	Number of polling Stations <u>without</u> a ZESN observer		
	Comments/Details		
1.5	Number of polling stations where you were prevented from observing the voting process		
	Comments/Details		
1.6	Number of polling stations with unauthorised persons present		
	Comments/Details		
1.7	Number of polling stations where the election officials did not follow the procedures for voting		
	Comments/Details		
1.8	Number of polling stations where voters' names were not checked in the voters roll		
	Comments/Details		
1.9	Number of polling stations where voters' fingers were not checked for ink or fingers were not dipped in ink		
	Comments/Details		
1.10	Number of polling stations where people were turned away and not permitted to vote		
	Comments/Details		
1.11	Number of polling stations where people were illegally allowed to vote		
	Comments/Details		
1.12	Number of polling stations where attempts were made to disrupt voting		
	Comments/Details		
1.13	Number of polling stations where there were acts of intimidation or violence (inside, outside or near)		
	Comments/Details		
1.14	<b>Overall Assessment of the Voting Process– For each polling station tick one of three choices below</b>		
	A) No problems		
	B) Minor Problems (Administrative errors)		
	C) Serious Problems (Manipulation/Rigging)		

I certify that all of the information contained on this form is truthful and accurate to the best of my knowledge.

Supervisor's Signature \_\_\_\_\_

Date \_\_\_\_\_



## Zimbabwe Election Support Network (ZESN)



### Voting Procedures Afternoon (2005-VPA)

2005 Parliamentary Election (Thursday 31 March 2005)

(This information must be submitted to the National Command Centre by no later than 19h30)  
(Even if you visit a polling station more than once, make only one tick mark for each polling station!!!!)

1.1	Supervisor's Name.	
1.2	Constituency Name.	

Question		Tick Only Once Per Polling Station	Total
1.3	Number of polling stations visited		
1.4	Number of polling Stations <u>without</u> a ZESN observer		
	Comments/Details		
1.5	Number of polling stations where you were prevented from observing the voting process		
	Comments/Details		
1.6	Number of polling stations with unauthorised persons present		
	Comments/Details		
1.7	Number of polling stations where the election officials did not follow the procedures for voting		
	Comments/Details		
1.8	Number of polling stations where voters' names were not checked in the voters roll		
	Comments/Details		
1.9	Number of polling stations where voters' fingers were not checked for ink or fingers were not dipped in ink		
	Comments/Details		
1.10	Number of polling stations where people were turned away and not permitted to vote		
	Comments/Details		
1.11	Number of polling stations where people were illegally allowed to vote		
	Comments/Details		
1.12	Number of polling stations where attempts were made to disrupt voting		
	Comments/Details		
1.13	Number of polling stations where there were acts of intimidation or violence (inside, outside or near)		
	Comments/Details		
1.14	<b>Overall Assessment of the Voting Process– For each polling station tick one of three choices below</b>		
	A) No problems		
	B) Minor Problems (Administrative errors)		
	C) Serious Problems (Manipulation/Rigging)		

I certify that all of the information contained on this form is truthful and accurate to the best of my knowledge.

Supervisor's Signature \_\_\_\_\_

Date \_\_\_\_\_



## Zimbabwe Election Support Network (ZESN)



### Counting Procedures (2005-CP)

2005 Parliamentary Election (Thursday 31 March 2005)

(This information must be submitted to the National Command Centre immediately following counting)  
(Even if you visit a polling station more than once, make only one tick mark for each polling station!!!!)

1.1	Supervisor's Name	
1.2	Constituency Name	

Question		Tick Only Once Per Polling Station	Total
1.3	Number of polling stations visited		
1.4	Number of polling Stations <u>without</u> a ZESN observer		
	Comments/Details		
1.5	Number of polling stations where you were prevented from observing the counting process		
	Comments/Details		
1.6	Number of polling stations with <u>more than one</u> polling agents present		
	Comments/Details		
1.7	Number of polling stations where it took more than 4 hours to complete counting		
	Comments/Details		
1.8	Number of polling stations where all of the ballot boxes were <u>not</u> brought to one room for counting		
	Comments/Details		
1.9	Number of polling stations where election officials did not follow the counting procedures		
	Comments/Details		
1.10	Number of polling stations where you or the ZESN observer did not agree with the vote count		
	Comments/Details		
1.11	Number of polling stations where <u>all</u> of the polling agents present did not agree with the vote count		
	Comments/Details		
1.12	Number of polling stations where an attempt was made to disrupt counting		
	Comments/Details		
1.13	Number of polling stations where there were acts of intimidation or violence (inside, outside or near)		
	Comments/Details		
1.14	Overall Assessment of the Counting Process – For each polling station tick one of three choices below		
	A) No problems		
	B) Minor Problems (Administrative errors)		
	C) Serious Problems (Manipulation/Rigging)		

I certify that all of the information contained on this form is truthful and accurate to the best of my knowledge.

Supervisor's Signature \_\_\_\_\_

Date \_\_\_\_\_



# Zimbabwe Election Support Network (ZESN)



## Rapid Assessment (2005-RA)

2005 Parliamentary Election (Thursday 31 March 2005)

(This information must be submitted to the National Command Centre immediately following counting)

1	Constituency							
2	ZESN Supervisor's Name							
3	ZESN Supervisor's ID Number							
4	ZESN Observer's Name							
5	ZESN Observer's ID Number							
6	Assigned Polling Station Name							
	Were you able to go to the assigned polling station?		Yes	No				
	If No, what polling station did you go to?							
7	Were there people intimidating or threatening voters <u>outside</u> the polling station?		Yes	No				
8	Was ZESN permitted to observe the voting process?		Yes	No				
9	Was the ballot box shown to be empty before being sealed closed?		Yes	No				
10	Was the polling station set up so voters could mark their ballots in secret?		Yes	No				
11	Were there people intimidating or threatening voters or election officials <u>inside</u> the polling station?		Yes	No				
12	Did anyone attempt to disrupt voting?		Yes	No				
13	Were voters turned away and not permitted to vote?		Yes	No				
14	Were people allowed to vote illegally?		Yes	No				
15	Was voting forced to stop for any reason?		Yes	No				
16	Was every person still in the queue at 7pm permitted to vote?		Yes	No				
17	Was ZESN permitted to observe the counting of ballots?		Yes	No				
18	Were there individuals present during counting intimidating or threatening election officials?		Yes	No				
19	Did anyone attempt to disrupt counting?		Yes	No				
Results	MDC	ZANU-PF	Other	Other	Other	Total Valid	Rejected	Total
20	Do you agree with the results above (are they accurate)?		Yes	No				
21	Overall, were the election officials fair and non-partisan?		Yes	No				
22	Overall, how would you rate this polling station? (tick only one choice below)							
	1) No problems							
	2) Only minor problems – Administrative errors, but results generally accurate							
	3) Major problems – Results do not reflect will of the people							

I certify that all of the information contained on this form is truthful and accurate to the best of my knowledge.

\_\_\_\_\_  
ZESN Supervisor Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
ZESN Observer Signature

\_\_\_\_\_  
Date



# ZIMBABWE ELECTION SUPPORT NETWORK



March 2005 Parliamentary Elections

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## **PRELIMINARY REPORT**

Number. 1

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## Background

The Zimbabwe Election Support Network (ZESN) is gearing itself towards an impending major election, the parliamentary election of 2005. There had been a fiercely contested general election in 2000, which ushered into parliament, the most formidable opposition since independence. The emergence of the opposition party completely changed the country's political landscape as the country witnessed unprecedented levels of political violence.

Following the 2000 election in which the then nine-month old opposition Movement for Democratic Change (MDC) won 57 of the 120 seats, the government enacted several laws that changed the electoral playing field. Most notable among these was the General Laws Amendment Act in 2001, Access to Information and Protection of Privacy Act (AIPPA) and the Public Order and Security Act. The enactment of these laws made the political environment in the country very restrictive for civic organisations as well as the opposition political parties. In addition to the above restrictive legislation, in 2004 parliament passed again another piece of repressive legislation, the NGO Bill that is currently awaiting the President's signature. The NGO bill sought to ban foreign funding to all NGOs working on issues around good governance, democracy and human rights. This bill disturbed the programming of NGOs activities and hence the late preparedness of NGOs especially in view of the pending election.

### ***By elections***

Since 2000, ZESN observed all the 16 by-elections that were held in the country. These by-elections left MDC with 51 seats from the initial 57 whilst ZANU PF gained six more seats to have 68 seats. ***See table below.*** ZANU PF is left with two seats to obtain the two-thirds majority in Parliament assuming that the 30-non constituency members of Parliament appointed by the President vote for the motion. Recently the President announced that Parliament would be dissolved on the 30<sup>th</sup> of March 2005, a day before the polling day. *Below are the by-elections held between 2000-2004.*

Constituency	MP and Party in 2000	Vacancy	By- election	Current Party
1.Marondera West	Rufaro Gwanzura – ZANU PF	Death of MP	November 2000	ZANU PF
2.Bikita west	Amos Mutongi –MDC	Death of MP	January 2001	ZANU PF
3.Bindura	Border Gezi- ZANU PF	Death of MP	July 2001	ZANU PF
4.Makoni West	Moven Mahachi – ZANU PF	Death of MP	September 2001	ZANU PF
5.Chikomba	Chenjerai Hunzvi – ZANU PF	Death of MP	September 2001	ZANU PF
6.Insiza	George Ndlovu – MDC	Death of MP	October 2001	ZANU PF
7.Highfield	Munyaradzi Gwisai – MDC	Dismissed from party	March 2003	MDC
8.Kuwadzana	Learnmore Jongwe – MDC	Death of MP	March 2003	MDC
9.Makonde	Swithun Mombeshora – ZANU PF	Death of MP	August 2003	ZANU PF
10.Harare Central	Mike Auret – MDC	Resigned/ill health	August 2003	MDC
11.Kadoma Central	Austin Mupandawana – MDC	Death of MP	November 2002	ZANU PF
12. Gutu North	Simon Muzenda – ZANU PF	Death of MP	2-3 February 2004	ZANU PF
13. Zengeza	Tafadzwa Musekiwa – MDC	Resigned/ security reasons	27and28 March 2004	ZANU PF
14. Lupane	David Mpala (MDC)	Death of MP	15-16 May 2004	ZANU PF
15. Seke	Tumbare Mutasa (MDC)	Death of MP	Uncontested <b>(declared winner on nomination)</b>	ZANU PF
16. Masvingo South	Edson Zvobgo (ZANU PF)	Death of MP	Uncontested <b>(declared winner on nomination)</b>	ZANU PF

ZESN observed all the by-elections including the proceedings during nomination process. Election observation of these by-elections was of paramount importance as it helped to enhance the citizenry's

confidence in the electoral process once more. The dissemination of information and communication through civic education to create an informed citizenry was much more necessary than ever in order to educate the electorate on the need for a free political climate. This also enhanced ZESN's experience in elections issues and gave the organisation the keystone to lobby for electoral reforms in the country.

### ***MDC boycott***

The opposition party MDC announced the decision not to participate in any by-election in August 2004 basing their argument on the fact that the government had not yet put into practice some of the key SADC guidelines into the political system and state administration. In August 2004, the government signed among other SADC states, a protocol on SADC guidelines and principles on elections. Among some of the key principles are in section 2.2 which are:

- *2.1.1 Full participation of the citizens in the political process*
- *2.1.2 Freedom of association*
- *2.1.5 Equal opportunities for all political parties to access the state media*
- *2.1.10 Challenge of the election results as provided for in the law of the land.*

This saw the opposition party abstaining from participating in the Seke and Masvingo South by-elections. However the MDC recently announced that it was going to participate in the election "in protest". Its argument is that, the Southern Africa Development Community's (SADC) principles are yet to be fully applied and moreover that, there is inadequate time to hold an election because of the lack of "democratic practices".

### ***Election calendar***

The President announced Thursday the 31<sup>st</sup> of March 2005 as the date for the general election. He also announced that the Parliament would be dissolved on the 30<sup>th</sup> of March 2005 while the sitting of the nomination courts would be done on the 18<sup>th</sup> of February 2005. The election of 10 Chiefs by electoral colleges will also be done on Friday 8 April 2005. The Electoral Act (Chapter 2:13) stipulates it is the 'President shall provide for matters required by this section'... 'A day on which nomination court shall sit in terms of section 46 to receive nominations of candidates for elections as members of parliament...' (Section 38 sub section 2a.1 of the Electoral Act)

## **Methodology**

This report is a summary of information gathered in the period from August 2004 January 2005. The report is based on information compiled from ZESN's long term observers who were deployed in 2004, reports in both print and broadcast media, reports by member organisations and input from the public in general.

ZESN deployed 240 long-term observers in all the 120 constituencies in Zimbabwe with two observers per constituency. Such observers bring in monthly reports to the head office and the information is processed into reports. In addition, other member organisations such as the Zimbabwe Peace Project (ZPP), Media Monitoring Project Zimbabwe (MMPZ) are useful sources of data gathering for ZESN reports including this preliminary report. The public has also been useful in providing feedback through the workshops attended, phone calls, emails. ZESN secretariat, provincial taskforces and board members also help in the verification of some reports. For example, when the secretariat received information that all inspection centres were closed during the extended period of voter inspection the secretariat sent an investigation team to verify if such was true (**see annexes: i.e. letter to the Chairman (ZEC), the RG of Voters and Press Statements**).

## **ZESN's preparatory activities for the elections**

### ***Civic Education Department***

ZESN has been instrumental in nationwide civic and voter education programmes that have benefited the electorate, especially against the background of illiteracy levels in some parts of Zimbabwe. This has helped immensely, in the promotion of the concept of citizen empowerment. However according to the new Electoral legislation, civil society organisations that consist of only Zimbabweans will be required to apply to the Zimbabwe Electoral Commission for permission to conduct voter education provided that their material is approved. It is however regrettable to note that the legislation stipulates that no foreign funding for voter education purposes except if received by the Zimbabwe Electoral Commission. However the department trained Constituency Based Educators, organised and held number community workshops all over the country between September and December 2004. In a bid to empower the citizens in terms of information that will enable them to vote peacefully and exercise their right, print and electronic adverts were flighted in local newspapers and radio stations, were also produced and distributed in all provinces through members.

### ***Election Observation Department***

The new electoral act stipulates that the Electoral Supervisory Commission (ESC) has the sole mandate of deploying monitors who are civil servants. According to section 13.2, the ESC shall appoint and deploy in each polling station members of the public Service to act as monitors. Civic organisations are only accredited as observers and they do not have any direct role in rectifying the irregularities. Of major concern is the mere fact that civil servants run and monitor elections. It would have been better if the civil society as independent bodies, if they are also involved as monitors.

In addition, the ESC through the Accreditation Committee has the discretion to accredit election observers. Section 14.7 of the Act stipulates, 'Upon satisfaction of the requirements subsection 6 the observers' Accreditation Committee shall issue the individual concerned with an accreditation certificate confirming that the applicable requirements have been satisfied by that individual and specifying the period during which such individual is accredited as an observer.' ZESN is at the moment training 7 500 short-term observers, 260 long term observers and 240 supervisors and it is ZESN's hope that the Committee will accredit all the observers once applications are made and that the Committee will give the organization enough accreditation. ZESN also anticipates that the ESC will decentralize accreditation and this will reduce transport and accommodations costs for those organisations intending to field observers nationwide.

### ***The Media and Information Department***

The department has been having meetings with editors since last year in trying to advocate on the importance of balanced reporting in the upcoming election. The department has also been fighting adverts in national and provincial papers on civic education in conjunction with the Voter Education department. A workshop for journalists was held in Bulawayo on the 18-19<sup>th</sup> of February 2005. The purpose of the workshop was to encourage journalists to report impartially in the forthcoming election as well as to enlighten them on the new electoral acts. The department has also been disseminating electoral information through the ZESN website, e-mail, sms (cell phone short text messages) and several adverts on the state broadcast media (ZBH).

### ***Research and advocacy***

The department has produced a document that examines the SADC Electoral Principles and Guidelines in comparison with Zimbabwe's new electoral legislation that is, the Zimbabwe Electoral Commission Act and the Electoral Act. The document highlights the extent to which Zimbabwe has implemented or at least considered the SADC guidelines into its domestic legislation. The department is also currently working on

organising public meetings in view of the pending election and has been holding lobbying meetings with responsible electoral bodies and authorities on how they can work together and compliment each other's work.

### **Electoral system in Zimbabwe**

The Zimbabwean constitution provides that it is a constitutional democracy, which allows for the election of public official periodically. Parliamentary elections are held every six years. The constitution provides for an electoral process that declares the winner on the basis of obtaining the majority of votes in an election also known as the first past the post electoral process.

Zimbabwe still practices the **first past the post** electoral system also known as the plurality or Westminster electoral system. A party candidate with the highest number of votes wins. Winner may be elected majority with less than a majority of 51%. In a bid to conform to the SADC principles and guidelines new electoral acts were put in place, which repealed the old, acts. These are the Zimbabwe Electoral Commission Act (ZEC) and the Electoral Act (EA) and other electoral regulations.

### **Electoral Institutions in Zimbabwe**

1. The Delimitation Commission
2. The Zimbabwe Electoral Commission
3. The Electoral Supervisory Commission

### **The Delimitation Commission**

This is set up in terms of section 60(2) of the Zimbabwe constitution .It has the responsibility of determining the limits of the constituencies in Zimbabwe taking into account the number of registered voters, the physical features, the means of communication in the area and the geographical distribution of the registered voters. The president in consultation with the Judiciary Services Commission appoints it.

In view of the pending election the Delimitation Commission was set on the 14<sup>th</sup> of September 2004.This was done according to section 59 of the constitution of Zimbabwe. According to the Constitution, the President shall appoint a Delimitation Commission that shall determine the lists of the anticipated number of constituencies. High Court Judge Justice George Chiweshe was appointed to chair the Commission.

According to the Herald (15 September 2004) the Commission was the most professional and was expected to produce a well-balanced report to the president. The Commission completed its functions in December 2004 and was comprised of the following members;

<b>Justice George M. Chiweshe</b>	-	<b>Chairperson</b>
<b>Dr Maclean Bhala</b>	-	<b>Member</b>
<b>Dr Charles M. Mukora</b>	-	<b>Member</b>
<b>Dr. Job M. Whabira</b>	-	<b>Member</b>

However according to the main opposition party (MDC), the demarcation of the constituency boundaries by the Delimitation commission was clear testimony of the extent to which the government was prepared to go into turning national institutions into ZANU PF rigging apparatus. (*Zimbabwe Independent 23/12/ 2004*)

There are allegations that the, new demarcations have increased seats in ZANU PF strongholds and cut the number of seats in areas where the opposition enjoys support. This sentiment is also supported in the Sunday Mirror (13/02/2004) where a study comparing the present boundaries with those of the 2000, revealed that Harare Central has grown in size with a substantial voting population from the uniformed forces being added to the area. According to the report, Cranborne, Braeside, and Rhodesvale suburbs, which previously belonged to Harare South, are now parts of the Harare Central. These areas contain numerous military police residential places that could make a difference in the voting patterns. Harare, Bulawayo and Matebeleland South Province lost a constituency each while Manicaland, Mashonaland East and West gained one each. Find below in tabular form the number of registered voters per province and number of constituencies per each province.

Province	No. Of registered voters	No. Of constituencies
Bulawayo	339 990	7
Harare	832 571	18
Manicaland	686 767	15
Mashonaland Central	490 181	10
Mashonaland East	610 715	13
Mashonaland West	593 354	13
Masvingo	675 234	14



Matebeleleland North	342 745	7
Matebeleleland South	341 258	7
Midlands	745 822	16

*Note: to determine constituencies for each province the commission divided the number of registered voters in a province by 47 147*

**Source: Delimitation Commission report**

However the MDC alleged that, in areas where some constituencies were lost are suspected areas where the ruling party does not have a lot of support and the increase is in areas where the party has prospects of winning the election. In the same vein, other political analysts said the technicalities to the issue also arise from the fact that all complaints to the electoral process are to be dealt with by ZEC, which is also being led by the very person who led the Delimitation Commission. It is therefore illogical for the ZEC chairperson to entertain complaints about the delimitation process, which he was responsible for. The system therefore remains closed for contest because a reversal to the decision on the boundaries would be an indication to the commission's predetermined job. There are also concerns that the delimitation commission finished its work in December 2004 whilst the final voters' roll had not yet been compiled, meaning that there was a possibility of numbers increasing in some constituencies. It therefore remains a great challenge whether the electoral process and institutions will ensure provision for a transparent and open electoral process in the little timeframe that is left.

### **The Zimbabwe Electoral Commission**

The ZEC is established in terms of Section 3 of the Zimbabwe Electoral Commission Act. It consists of a Chairperson and four other Commissioners. The President appoints the Chairperson after consultation with the Judicial Service Commission, while the four other Commissioners are appointed by the President from a list of seven nominees submitted by the Parliamentary Committee on Standing Rules and Orders. The law requires that two of the four Commissioners must be women.

The Commission was set up on the 7<sup>th</sup> of February 2004 and comprises of the following members;

<b>Justice George Mutandwa Chiweshe</b>	-	<b>Chairperson</b>
<b>Mrs Sarah Kachingwe</b>	-	<b>Commissioner</b>
<b>Mrs Vivian Stella Ncube</b>	-	<b>Commissioner</b>
<b>Professor Goerge Kahari</b>	-	<b>Commissioner</b>

**Reverend Jonathan Siyachitema - Commissioner**

*The functions of the Commission are;*

- To prepare and conduct elections
- Direct and control the registration of voters by Registrar General of Voters
- To compile the voters' roll
- To ensure the proper custody and maintenance of the voters' roll and registers
- Design print and distribute ballot papers, approve form and procurement of ballot boxes and establishing polling stations
- To conduct voter education

*It also gives instructions to:*

1. The Registrar General of Voters (*see below*).
2. Any other person employed by the state in the running of the elections.
3. To keep the public informed about the election process

Taking cognizance of the above-mentioned functions of the Commission, it remains ZESN's concern whether the Commission would be able to take full responsibility of the transparency of some of the processes, which were undertaken by various electoral bodies before the Commission was set up. The Electoral Act and the Zimbabwe Electoral Commission Act came into effect on the 1<sup>st</sup> of February 2005, barely two months before the election day. Therefore the major challenge is whether there is enough time to implement the new law and effect the necessary changes to some of the processes, which have already been done for example the voters' roll compilation. Moreover the Commission was set up late, after registration and inspection had been done. It was ZESN's anticipation that the Commission was going to review the processes considering the fact that there were several concerns and complains raised concerning the voters' roll before, for instance that there were 'ghost names' among other allegations that the voters' roll was in shambles. The Commission is also expected to assist all interested stakeholders to get access to the voters' roll without problems.

*The Registrar of Voters*

Shall be subject to the control of the ZEC. This office is established under the Zimbabwe Electoral Act section 18. The subsection (1) states that there shall be a registrar of voters whose office shall be a public office and shall form part of the Public Service.

It is under the office of the registrar general that

- A constituency registrar
- Deputy constituency registrar
- One or more assistant constituency registrars shall be generated. These shall be members of the Civil Service.

However there are concerns on the Registrar of Voters being the same office with the Registrar of General which people did not have confidence and trust in. So it was not ideal for ZEC to inherit the work by this office. There is therefore need for ZEC to review and rectify the allegations of duplicate names and 'ghost voters' and above all undertake an overhaul of the voters' roll.

### **Electoral Supervisory Commission**

The ESC is established in terms of section 61 of the Constitution of Zimbabwe. It consists of a Chairperson and four other members. The Chairperson and two (2) members are appointed by the President in consultation with the Judicial Service commission while the other two are appointed by the President in consultation with the Speaker of Parliament.

*Functions of the ESC as defined in section 61 (3) of the Constitution are as follows; -*

- a) To supervise the registration of voters and the conduct of elections to parliament and to the Office of the President
- b) Subject to any Act of Parliament, to supervise the registration of voters and the conduct of elections to the governing body of any local authority
- c) To consider proposed bills or proposed Statutory instruments referred to it relating to the registration of voters or any election stated above

*The new Electoral Act (Chapter 2:13) confers additional functions on the ESC*

- a) Establishing and chairing an Observers' Accreditation Committee responsible for accrediting observers invited to observe elections in terms of Section 14(2) of the same Act.
- b) Inviting persons representing bodies in the SADC region that exercise similar functions to those of the ESC to observe Zimbabwe elections in terms of Section 14 (5) (b).
- c) To write and submit a report to the President or the Minister, in this case the Minister of Justice, Legal and Parliamentary Affairs as the case may be soon after an election.

*Currently, members of the Commission are:*

**Mr. Theophilus Pharaoh Gambe** - **Chairperson** (*replaced Mr. Gula Ndebele who is now the Attorney General*)

**Mrs. Joyce Laetitia Kazembe** - **Commissioner**

**Ms. Erica Fungai Ndewere- Mususa** - **Commissioner**

**Mr. Tendayi Musekiwa Mberi** - **Commissioner**

There are concerns that the secretariat of the ESC has some members from the military force as members of the secretariat staff.

### **Election Petitions**

There shall be established an Electoral Court for the purpose of hearing and determining election petitions and other matters.

The Chief Justice in consultation with the judge President appoints judges of the court. On the 18<sup>th</sup> of February, Chief Justice Godfrey Chiyausiku appointed the following High court Judges to the electoral court;

**Justice Tendayi Uchena**

**Justice Maphios Cheda**

**Justice Nicholas ndou**

The appointment was in accordance with Section 162 of the electoral Act. Master of the High Court Mr Charles Nyatanga was appointed Registrar of the Electoral Court in terms of the Act.

This is a positive step in that the court petitions addressed in time taking into consideration that there are 38 election petitions still pending in court since 2000 general elections.

*Who may present an Election Petition?*

Any candidate aggrieved in an election. The petition shall be presented within fourteen days after the day on which the result of the election has been notified.

### **Implications of the new electoral legislations**

Under the new legislation, the Electoral Act is an enabling piece of legislation that establishes the Zimbabwe Electoral Commission (ZEC). ZEC is an institution whose duty is to run all elections and referendums in the country. Of concern to ZESN is the fact that ZEC Act precludes civil society organizations from conducting voter education. Section 12 of the Act stipulates that, ***“No foreign contribution or donation for the purposes of voter education shall be made except to the Commission, which may allocate such contribution or donation to any person.”*** This provision of the act affected civil society organisations with voter education programmes as no alternative funding is in place from the state. Apparently there has not been much voter education so far to the electorate from the ZEC especially on the issue of voting in one day, the issue of the translucent ballot box and other changes in terms of the administration of the whole electoral process. It is ZESN’s concern that the electorate need to be well educated and informed about these changes which might not seem as important but are very crucial especially taking into consideration that the previous elections were done in two days and some people could not vote due to various causes and queues which were too long etc, one would then wonder how this would be avoided if voting is going to be done in one day. One would imagine even longer queues and the fear is that this might attribute to voter apathy in the country, hence the need to educate the electorate on these issues. ZESN is however in the process of seeking approval (*as stipulated in the ZEC Act*) to continue doing voter education and thereby complimenting ZEC’s work.

### **The Nomination court**

As stipulated in the Electoral Act Section 46.1, a candidate for an election shall be nominated by means of a separate nomination paper prescribed in the form which

- a. *Not fewer than ten persons who are registered on the voters roll for the constituency for which the candidate seeks election...*
- e. *Shall contain such particulars as may be prescribed.*

In accordance to this provision, various candidates filed their papers on the 18<sup>th</sup> of February 2005 in the concerned provinces in which the nomination court was to be held. The nomination process and period went on very well without any incidences of violence.

*The following are the highlights of the nomination.*

- The Minister of Justice Legal and Parliamentary Affairs, called for long birth certificates for those intending to file nomination papers. The Zimbabwe Electoral Commission later reversed this after some outcry from political parties that this was purposely going to disqualify a number of aspiring candidates.
- The main highlight of the nomination day in Bulawayo was professor Jonathan Moyo's entry in the nomination court to file his papers as an independent candidate for Tsholotsho constituency. The fact that the ruling party had sidelined Moyo after he allegedly convened the Tsholotsho declaration that sought to oppose the nomination of Joyce Mujuru as the Vice President. Given that background President went on to suspend the provincial and district leaders who took part in the meeting. The decision to have a female candidate for Tsholotsho was an indirect way of barring Moyo from having an influential position within the party structures hence this also gave him the leeway to apply as an independent. As a result, the president of the ruling party, President Mugabe fired Moyo as he had violated the party's principles and standing orders. In response to the sacking, Moyo emphasized that he was a victim of hate within the party but he had an obligation to represent the people of Tsholotsho who had chosen him in the first place.
- Another surprise was the entry of suspended Chairman of ZANU PF for Matebeleland South Lloyd Lohsani Siyoka in Beitbridge
- Joshua Mhambi was disqualified to stand as an independent candidate in Lobengula –Magwegwe. He failed to produce an original copy of his national identity card. Mhambi who was born in Zambia also failed to produce his Zambian birth certificate. It was also discovered that he had not renounced his Zambian citizenship as required and stipulated in the Citizenship Act.
- In Bulawayo South MDC's secretary for legal Affairs David Coltart nearly failed to file his papers after his mother was alleged to be South African. He was finally accepted to register.
- At least three MDC members who filed as independent candidates were fired from the opposition party. These sitting members of Parliament are MP Silas Mangono of Masvingo Central, Danmore Makuvaza formerly of Mbare West and Peter Nyoni of Hwange East
- In a dramatic turn of events, incarcerated MP for Chimanimani (MDC), Roy Bennett's nomination papers were rejected. As a result Roy Bennett's wife, Heather Bennet will represent the MDC party in Chimanimani. It is however alleged that Roy Bennet has since taken his wife to the Electoral court, along with ZANU PF candidate for the constituency, Samuel Undenge and two others, seeking the nullification of the nomination results. Bennet argued that the decision by the

nomination court to disqualify him from the March 31 parliamentary race is has no basis at law since incarceration is not cited in the Electoral Act as a reason to disqualify a would be candidate.

- According a ZESN long-term observer who witnessed the nomination court sitting in Mashonganyika Building, Gideon Dhliwayo ZANU Ndonga's Candidate was disqualified for failing to pay the nomination fee of two million Zimbabwe Dollars referred in to in section (e) of the Electoral Act as "such particulars as may be prescribed". ***For more on the results see annexures***

## The Media Coverage

The SADC Principles and Guidelines to free and fair election Section 2.1.5 states that there should be "Equal access for all political parties to access the state media" However neither of the two electoral Acts (ZEC and EA) contain provisions to ensure that the opposition parties have equal access to the media. As a result the state media still skewed in favour of the ruling party.

However on 16 February 2005 the government through the Ministry of Information and Publicity in the President's office gazetted regulations governing political parties' access to the electronic media during the forthcoming parliamentary election. ZESN received this as a positive development in election broadcasting in Zimbabwe. The test is whether the regulations, which seek to accord contesting parties and their candidates the right to convey their policies to the electorate through the broadcast media, will be applied fairly.

For the first time, election broadcasts in Zimbabwe are set to depart from the tradition in which Zimbabwe Broadcast Holdings (ZBH) (then ZBC) would set its own in-house regulations and implement them without an independent body monitoring the fair application of the guidelines or arbitrating on complaints from aggrieved parties. Political parties whose election material is rejected by the public broadcaster must now be given reasons within 24 hours of the rejection and may appeal to the Broadcasting Authority of Zimbabwe (BAZ) for redress.

However in a statement by the Media Monitoring Project of Zimbabwe, noted with concern the fact that the Minister of State for Information and Publicity in the President's Office, Jonathan Moyo, a functionary of one of the contesting parties (ZANU PF) set the regulations to grant "*equal opportunities*" to political parties to access the national broadcaster.

In addition there does not appear to have been any consultation with other contesting parties or media organizations in coming up with the regulations. While MMPZ in principle welcomes the regulations they have

come too late. For example, Section 6 (4) of the regulations requires licensees to “*give the Authority [BAZ] a broadcast schedule for election programmes and recording dates for all pre-recorded programmes for its station at least fifteen (15) days before an election period.*” The BSA defines the election period as the period “*thirty-three days before the polling day for the elections and ends at the close of polling day or the last polling day.*” This means that the election period begins on 26 February 2005. The Broadcasting Services (Access to radio and television during an Election) Regulations 2005 gazetted on 16 February 2005 were gazetted 10 days before the election period which makes it impossible for ZBH to fulfill this requirement of the regulations. It remains unclear how this will affect the broadcasting of election programmes.

The organisation added that the Minister for Information or the BAZ must clarify the consequence of this delay and what remedial action government intends to take.

The prohibitive cost of advertising space has the potential to preclude political parties or candidates with little financial resources. For example, a political party will have to pay \$226 million to secure one hour of prime time advertising on ZTV and \$84 million to secure one hour of prime time advertising on Radio Zimbabwe.

MMPZ maintains that the public broadcaster, a national resource funded by public funds, should allocate a basic equal amount of free direct access to political parties, which may then be supplemented by paid direct access. Such excessive financial constraints placed upon parties with limited financial resources may effectively subvert the intention of granting equitable access to the electronic media.

Further, the regulations give ZBH the discretion to reject an advertisement that does not “*meet the quality standards set by the licensee*”. This may be manipulated to effectively bar some parties from accessing the public broadcaster. To prevent this, MMPZ called on ZBH to clarify and widely publicize the “*quality standards*” according to which it shall measure election broadcasts.

It is also ZESN's anticipation that the ZBH will this time abide by the regulations and that the BAZ will be fair and firm in monitoring their implementation. So far we have seen the launch of the MDC campaign and a rally by Job Sikala of the MDC. These two events were covered and we applaud such developments and hope to see more and other political parties who are contesting in the 2005 elections.

### **Political Parties (Finance) Act**

Recently the two main political parties, ZANU PF and MDC received funds under the **Political Parties (Finance) Act sub section 3 (3)** which stipulates that political parties with 5% of total votes in the most recent



election. In this case these two mentioned political parties qualified for state funds for their respective political parties. ZANU PF was given *three billion three hundred and eighty million* Zimbabwean dollars (\$3 380 000 000. 00) whilst MDC was given *three billion one hundred and twenty million* Zimbabwean dollars (\$3 120 000 000.00). However there are allegations that ZANU PF is using other state resources like seed, fertiliser and computers to lure the electorate to vote for the party. There are also some allegations on the involvement of traditional leaders and civil servants in mobilising people and campaigning for the ruling party.

### **The Political climate**

The political climate prior to the election has witnessed less overt political violence but full of uncertainties. However the factors to such a situation seem to be based on the need for a peaceful election so as to ensure legitimacy for the ruling party if and when it wins.

According to the ZESN long-term observers' reports, in most provinces, many incidents of political violence were of intra-party nature for both parties, ZANU PF and MDC. Parliamentary hopefuls waged fierce contestations against each other in their bid to win the party's primary elections held in mid January. There were several reports of intraparty squabbles within the main opposition party the MDC and ZANU PF. More anxiety to the March 2005 parliamentary elections is being felt after the opposition's final decision to participate in the election "in protest". While the decision to contest in the election had a good reception with the public, ZANU PF argues that the MDC's previous stance had been driven by cowardice and the late decision was based on the call of the so called "western imperialists and sponsors of the opposition". The participation of the MDC regardless if it's being in protest, is believed to have given legitimacy to the ruling party because the fact that they are participating is enough to the satisfaction of ZANU PF. As a result of these and other factors, there is a lot of anxiety in the political atmosphere such that the electorate is in limbo over what will happen to the much-awaited electoral process. Though there has been tension between the two major parties, the political environment has been generally calm and peaceful despite isolated cases of intimidation from the police, state agencies, ruling party supporters, traditional leaders and some members of the main opposition party (MDC).

### **Primary Elections**

The period between the last report in 2004 and January 2005 saw intraparty squabbles within the two major political parties. According to the ***Daily Mirror (13/07/2004)*** the MDC confirmation exercise had been marred by vote buying allegations as the candidates submitted their curriculum vitae.

*The following is a summary of the events that took place within the MDC primaries.*

- Harare North Legislator Trudy Stevenson was thrown to the wayside after a confirmation exercise, which was allegedly marred by vote buying and corruption. She was later re-confirmed and is standing as the MDC candidate for Harare North
- The National Executive member, Chris Mukanya was eyeing Mbare West that is represented by Dunmore Makuwaza. However the MDC deputy secretary general Gift Chimankire finally became the winner in the constituency after beating Makuwaza in the primary election.
- The MDC Manicaland Provincial Chairman Timothy Mabhawu was reportedly eyeing for the Mabvuku constituency that is represented by Justin Mutendadzamera and he won the seat amid allegations of irregularities sited by Mutendadzamera
- Frank Chamunorwa an executive member from Mashonaland East was reported to have opted for Mbare while Morgan Femai who also seats in the provincial executive was aiming for the same seat.
- A record breaking intraparty squabbles within the MDC were between Job Sikhala and the national Chairman Isaac Matongo. Matongo was accused of trying to eliminate Sikhala as the party's candidate in the coming plebiscite. This squabble was finally ended with the Primary election that was done at the Harvest House where Sikhala emerged as the winner.
- Supporters of the outgoing Masvingo Central legislation Silas Mangono fought running battles with those loyal to Tongai Mathuthu, the party's candidate in the pending election. It is alleged that Tsvangirai's bodyguards ganged up with youths aligned to Mathuthu to beat Mangono's supporters.
- There was a fierce clashing between rival MDC factions in at Masvingo Civic centre, where the party leader Morgan Tsvangirai was addressing his supporters
- In Masvingo Silas Mangono (MP) lost during primary elections to Tongai Mathuthu amid allegations of dirty tricks and Mangono later filed his papers during nomination to contest as an independent candidate

*The following is a summary of ZANU PF intraparty highlights;*

- In August 2004 ZANU PF made headlines, as it emerged that the ruling party stalwarts, Didymus Mutasa and Kumbirayi Kangai had been exempted by the Manicaland provincial committee from participating in the primary election because of fierce fighting that had been taking place between the two factions
- Six provincial chairpersons were suspended from ZANU PF party after allegedly Tsholotsho meeting, which allegedly sought to oppose the nomination of Joyce Mujuru as Vice President. This also later saw the Minister of Information and Publicity in the President's office, Jonathan Moyo being sidelined by the party. Consequently Moyo stood as an independent candidate for Tsholotsho in the pending March 2005 election and this led to his dismissal from the ZANU PF party.
- According to the Financial Gazette (10-16/02/2005) delays experienced in the in finalising the ZANU PF manifesto caused two false starts suffered by the ruling party in officially launching the March 31 Parliamentary poll. Changes in the party's information and publicity department saw the governments spin doctor Jonathan Moyo being relieved of his duties.
- The permanent representative to the United Nations, Ambassador Tichaona Jokonya threw his hat into the political ring after he highlighted interest in the Chikomba seat. He was to compete with the incumbent legislator Constantine Makokove. There were speculations that Ambassadors appointment was to fast track him into the cabinet ministers position since he is viewed with high esteem in the political circles.
- In December 2004 ZANU PF dispatched a team to the ruling party's factitious hotbed the Masvingo province amid reports that war veterans had demanded the expulsion of six big wigs from the party upon allegations of corruption and forsaking the sacred 1987 Unity Accord. (Daily Mirror 21 December 2004) The freedom fighters recommended that the Foreign affairs minister Stan Mudenge, Gutu South MP Shuvai Mahofa, Governor and resident Minister Josaya Hungwe, Chief Fortune Charumbira legislator for Zaka East, Tinos Rusere and suspended chairman Daniel Shumba, from Masvingo province.
- There was however a call for the end to all squabbles within the ZANU PF party as these would see strong divisions within the party. The squabbles to especially in Masvingo, and Manicaland had a negative impact on the party's reputation.
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### SUMMARY OF SOME INCIDENTS

Incident / Date	Description / place	Source
MP APPEARS IN COURT.	MDC MP for Makokoba Thokozani Khupe appeared in court on 22/01/05 for breaching the Public Order and Security Act, after she was allegedly apprehended addressing an unsanctioned meeting. Khupe (41) was not asked to plead. She remanded out custody to February 10 2005 on \$100 000 bail. She is alleged to have organised a political meeting with MDC supporters from Makokoba at the Fast Climber, a restaurant for which she is director. She contravened section 24(6) of POSA chapter 11.17 (failing to notify the regulating authority). It is alleged that she has four other similar cases which are still pending before the courts.	Herald 23/01/05
WAR IN MDC CAMP	<p>A wave of political upset has hit the MDC. Intra-party clashes were allegedly spearheaded by some of the MDC top six leaders eyeing urban constituencies in the 2005 general elections. MDC had an upper hand against ZANU PF in urban areas in 2000 parliamentary polls. For instance, the party's member of parliament for Mbare West Danmore Makuwaza is accusing deputy secretary general Gift Chimanihire of abusing his position in a bid to oust him from the constituency. According to Makuwaza, Chimanihire is abusing his position as a member of the top six leaders to cause confusion in the constituency.</p> <p>Chimanihire with the help of a member of MDC's national security Diamond Karanda has been ferrying people of Mbare West from their homes to places in Chitungwiza, Budiriro, and Avenues supplying them with beer, food and money. He is alleged to have 20 000 tonnes of maize for supplementary feeding in the constituency. Chimanihire denied these allegations of vote buying, but does not deny that he is vying for the post.</p>	Daily Mirror 11/10/04

	<p>Clashes in MDC were characterized by physical assaults of top officials by youths, nasty jostling for party parliamentary representations and general confusion on policy matters. In the past four months there had been political bickering in Masvingo central, Harare North and St Mary's Chitungwiza, with sitting MPs Silas Mangono, Trudy Stevenson, and Job Sikhala were likely to lose their MDC candidature for next year's polls.</p> <p>MDC national security director Peter Guhu and director for education identified only as Mr Rusike were severely assaulted by rowdy youths in full view of their national party leaders.</p>	
MDC Clashes	<p>There was a fierce clash between rival MDC factions in at Masvingo Civic centre, where the party leader Morgan Tsvangirai was addressing his supporters</p> <p>Supporters of the outgoing Masvingo Central legislation Silas Mangono fought running battles with those loyal to Tongai Mathuthu, the party's candidate in the pending election. It is alleged that Tsvangirai's bodyguards ganged up with youths aligned to Mathuthu to beat Mangono's supporters.</p>	Herald 15/02/05
MDC ACTIVISTS ASSAULTED	<p>Four MDC activists, Paul Kaseza the district chairperson, Shaibu Zakaria youth chairperson, Norbert Matengani the organizing secretary and Sadam Atwabi were picked from their respective homes and forced to march to an open space near the beer hall where they were severely assaulted. They were accused of supporting the MDC and were paraded and forced to do all kinds of humiliating things.</p>	MDC Information and Publicity. 23/09/04
PRAYER FOR VIOLENCE FREE ELECTIONS	<p>The Ecumenical Church Institutions in Zimbabwe (ECZ) has called on churches and all Zimbabweans to pray for violence free parliamentary elections scheduled for March 31, 2005. In a statement ECZ said it</p>	The Herald 08/02/05

	<p>would have a prayer session on 13/02/05 at the Harare City Sports Centre.</p> <p>It urged the electorate, political parties, civic organisations and other related constituencies to attend the service.</p> <p>Recently, Vice President Joyce Mujuru led a national prayer service for peaceful elections at the city sports centre. President Mugabe has, at various gatherings, reiterated the need for a violence free election.</p> <p>Police Commissioner Chihuri has also retaliated that there will be zero tolerance on political violence ahead of the election.</p>	
ZANU PF YOUTHS HARASS ELECTORATE	ZANU PF youths have begun intimidating the electorate to force them to attend ruling party rallies in the high-density suburb of Glen View and surrounding areas. The youths were seen going from door to door forcing residents to attend a ruling party gathering, at a time when President Mugabe and police commissioner Augustine Chihuri have the use of violence in the country as a political weapon.	Daily Mirror 19-10-04
60 MDC ACTIVISTS ARRESTED THIS YEAR – THEMBA NYATHI	Police have arrested 7 MDC members of parliament and 53 party activists since beginning 2004, with the opposition party saying these actions prelude free and fair election from taking place in the country. Paul Themba Nyathi, MDC's secretary for information and publicity alleged that the party's members had continued to be victim's arbitrary arrest and intimidation, among other human rights violations. He said the fact that human rights abuses continue to be perpetrated on such a large scale emphasizes the appalling decay of governance standards in Zimbabwe.	Daily Mirror 13-12-04
ACTING CHIEF PLEADS GUILTY OF INCITING VIOLENCE	Acting Chief Serima of Gutu, Chivande village, George Chivande, also a teacher by profession, yesterday entered his plea of guilt before Masvingo magistrate's Mr Shortgame Musaiona for contravening a section of the criminal procedure and evidence act (Incitement) on	Herald 13/01/05

	January 7 2005. Chivande used his position as a chief to incite some ZANU PF youths to evict a businessman Mr Abel Gandidza from his shop at Matiza business centre, because of his undesirable political affiliation. The following day about 20 ZANU PF youths, led by one Nicholas Muzendiwa went to the shop, assaulted attendance and patrons drinking at the bar, and also deflated tyres of Mr Gandidza's vehicle.	
MDC CHAIRWOMAN RAPED.	A Chitungwiza MDC youth chairwoman was on new year's eve allegedly assaulted and rapped and left for dead by five fellow opposition party activists. Dickson Tarusenga (47), John Matienga (28), Tinei Rwizi (26), Stephen Nyikadzino (27), and Biggie Chitengu (31) allegedly went to the chairwoman's home and invited her for an MDC meeting. Since she knew them the chairwoman agreed to go with them. On the way, they are said to have started assaulting her. They questioned why she had been chosen as chairwoman amidst male candidates. She was dragged to an open space, assaulted with batons, whipped and raped.	06-01-05
PARADZA ARRESTED	Sitting Member of Parliament Kindness Paradza was arrested after allegedly being involved in a fight with Leo Mugabe, s supporters whom he was expected to battle it out with in the primary elections.	12/01/05 Herald
POLICE RAID MDC CANDIDATES' MEETING	The police on 17/02/05 disrupted a training session of the MDC's 120 candidates, which was being held at the Sheraton Hotel in Harare. They arrested MDC Director of Elections Ian Makone, who by the time of writing this report was being held at Harare Central Police Station.	17/02/05
SUSPECTED POLITICAL VIOLENCE	A group of 31 ZANU PF youths were arrested in Norton after they went on a rampage. The youths allegedly commandeered private cars, assaulted MDC supporters and destroyed property worth millions of dollars. It is also alleged that they stabbed a police officer in the process.	Herald 15/02/05

### **Taking a comparative approach to the SADC Principles and Guidelines on elections**

The SADC Principles and Guidelines require member States to ensure that all their citizens enjoy freedom of movement, assembly, association and expression as well as political tolerance during electoral processes. There must also be an independent judiciary.

There is a lot to be done on this note, the Zimbabwean legislation enacted in February 2005, touches on these topics. Apart from a general statement of principles in section 3 of the Electoral Act, there is no enforcement mechanism, and the Electoral Commission's role is confined to registering voters, providing voter education and conducting elections. This is a weakness in the new legislation

*The following are of particular concern:*

- *Freedom of Assembly and Association:* These freedoms are seriously limited by the Public Order and Security Act [*Chapter 11:17*], under which all political gatherings are supposed to apply for clearance. However this act seems to be selectively applied to stifle opposition party rallies.
- *Freedom of Expression:* The Public Order stifles this right and Security Act and the Access to Information and Protection of Privacy Act [*Chapter 10:27*], which makes it an offence to publish false news. The latter Act has been used to ban the *Daily News* newspaper and to prevent foreign journalists working in Zimbabwe, since only citizens or permanent residents can be accredited as journalists for more than 30 days.
- *Political tolerance:* the ruling ZANU (PF) party in some cases shown itself intolerant of opposition. The new legislation is likely to change the party's attitude. This is supported by the President Robert Mugabe (***Herald 23/07/04***), police Commissioner Chihuri, (***Herald 21/10/04***) and Mr. Nathan Shamuyarira the ZANU PF secretary for Information and Publicity who called on Zimbabweans to embrace a culture of tolerance as the country heads towards general elections (***Sunday Mail 24/10/04***).

### **The advantages and disadvantages some of the new changes in the electoral regulations**

<b>Current Provisions in the new Acts</b>	<b>Advantages</b>	<b>Disadvantages</b>
Voting in one day	It allows for more transparency in the voting process. Concerns over what would happen to the ballot	There are worries if the voting process would be complete in one day, e.g. in Harare the electorate failed to vote in two



	<p>box overnight are done away with.</p> <p>It requires many polling stations and also faster processing of voters to avoid long queues</p>	<p>days in the 2000 general elections, this could actually be worse. An example is of ZANU PF that failed to hold its primary elections on one day.</p>
Counting at the polling station	<p>There is more transparency because there will be no more fears that ballot boxes could be staffed with more papers during transportation to the counting centers (as alleged before).</p> <p>Credibility, confidence and originality to the results are increased as fears of cheating are done away with. But this will be so, if results are announced at the polling station and there are counter signatures by political party agents and copies given to them.</p>	<p>There is a high likelihood of retribution to the electorate, as results per polling station would show how they have voted.</p> <p>There are also fears that in some remote areas there is no electricity to ensure adequate lighting in the counting process.</p> <p>Need for a lot of security to combat mischievous activities and behavior.</p>
The use of visible ink	<p>It is much easier for the naked eye to see who has voted or not, this detracts some people from voting twice. However there is need for high quality ink, which does not wash off easily.</p>	<p>There is concern over the quality of the ink to be used some ink may be easily washed away using chemicals.</p>
No mobile polling stations	<p>No need to move around with ballot boxes and this will remove the perception and previous</p>	<p>Some of the electorate may be disenfranchised, if few polling stations are set in remote areas or in non-neutral</p>

	allegations of cheating during moving from one point to another	places.
The use of translucent boxes	<p>Gives more confidence on the fairness of the process provided that there are adequate boxes and seals.</p> <p>All are able to see the accumulation of the votes in the ballot box.</p>	<p>The electorate may be intimidated that a certain party may be able to see how one has voted.</p> <p>More voter education is needed to reduce fears of retribution and guarantee the secrecy of vote.</p>
Establishment of the Electoral Petitions Court	<p>Election petitions are quickly addressed. <b>(Time frame)</b></p> <p>It ensures mechanism in which aggrieved parties may point at irregularities and seek a quick remedy. It would work well if there are regular updates and consultations with stakeholders.</p>	<p>The court may be comprised of a judiciary whose impartiality may be questionable.</p> <p>There is also need to establish party liaison committees to handle conflicts before they are taken to court.</p>
Access of media by all political parties	<p>Enables political parties to air their manifesto to the electorate.</p> <p>The electorate will have a choice in choosing the party they want to vote for rather than when one party has monopoly over the media especially television and radio.</p>	<p>Advertising fees may be out of reach for political parties if they are exorbitant</p>

## **Provincial summaries**

ZESN observed that the voter registration and inspection of the voters' roll was not adequately advertised in both the print and broadcast media. However, there were reports that this was not the case in rural areas, where people were informed about the voters' roll inspection and registration through their community leaders for example Chief and Kraal Heads. Unlike in urban areas, the voter inspection and registration was reported to be higher in rural areas than in urban areas. There are also allegations that mobile voter registration, which was done from May to July last year in rural areas, focused on ZANU PF strongholds. Also of major concern is the fact that, people were not yet in the election mood and might be attributed to the low voter turns out witnessed in most provinces during inspection of the voters' roll and there is also the issue of new constituencies and boundaries which were inadequately advertised. Given that fact, it might be necessary to consider another round of inspection of the voters' roll even though voters' registration is continuous. Below are summaries of the reports, which ZESN received from its long-term observers for each province. Among other issues, meticulous attention was given on voters' roll inspection and registration for each province.

### **Midlands**

The period ending December 2004 witnessed few incidents of political tensions. The most notable activity, however, was the preparation for the primary elections in the ruling ZANU PF party.

In Gweru Rural constituency there were no reports of politically motivated violence. There were however allegations of vote buying by suspected ZANU PF leaders.

There were no reports of civil society organisations being stopped from arranging workshops in the province. However such workshops could only go ahead with the consent of the local traditional and political leadership. In Chirumanzu, Mvuma one such workshop could not go ahead as the local MP said that NGOs were banned in his constituency. However inspection of the voters' roll was marred by low turn out.

## **Masvingo**

The province did not get any reports of inter-party violence in the province. However there were reports of intra-party violence when supporters of rival ZANU PF factions clashed in Masvingo South in December. No arrests were made. It is alleged that voters were forced to attend a ZANU PF meeting in Gonarezhou, Chiredzi area.

The opposition MDC held a rally in Masvingo that was addressed by its leader Morgan Tsvangirai in September. However a follow-up rally which the incumbent MP Mr Silas Mangono wanted to address was disrupted by suspected ZANU PF supporters who threatened to beat up anyone who dared to attend the rally. The rally was subsequently cancelled.

Civic organisations were able to organize and conduct workshops in the province with the consent of local traditional leadership except for Mwenezi constituency. Inspection of the voters' roll went on well, no incidents were reported.

## **Manicaland**

Mutare North /Central and South

The inspection of the voters' roll Chipinge North and South was marred by a very poor turnout. It would seem as if the change of boundaries affected the electorate .For example the Wengezi used to be part of Chimanimani but its now part of Mutare South. This seems to have confused potential voters, as they were unaware of the new changes hence unsure of their actual constituency.

There were also allegations that the ruling party has taken control of the registration process in Chipinge North and South by using kraal heads to lead their people to the inspection centers. There were isolated reports of political violence particularly in Chipinge South where suspected ZANU PF supporters reportedly ferried and beat up suspected opposition supporters, who allegedly in turn ran away and sought refuge in neighboring Mozambique.

There was also a generally high turnout to inspect the voters' roll except in the three Makoni constituencies. Civic organisations were able to conduct community workshops except in Makoni that was allegedly declared a one party province by the local political and traditional leadership.

## **Harare**

The same problems affecting the registration process in other regions were also recorded in the province. The turnout in the inspection was very low. Some voters did not find their names on the voters' roll and did not have the required documents like proof of residence to re-register. However there seemed to have been a limited number of inspection centers.

Some residents Glen Norah, Glen View, Highfield and Budiriro were reported to have been allegedly forced to buy party cards and attend political rallies. The Ngungunyana housing scheme is an example of how the housing issue is being taken advantage of in trying to lure supporters. It is also believed that there was the abuse on the issuing of passport forms as bait to lure voters. It is alleged that these forms were distributed on partisan basis.

## **Chitungwiza**

It was alleged that ZANU PF cadres were being used during inspection centers as personnel. There were allegations that members of the women's league were in possession of a voters' roll, which they were believed to have been using in conducting a separate registration exercise. It also alleged that they were actually moving from door to door with a copy of the voters' roll. All this took place in Unit F, Zengeza, and St Mary's. ZESN members were disallowed to conduct voter education in these constituencies. Another housing scheme was also launched by the ZANU PF candidate for Chitungwiza. However, critics have also complained that this breached the electoral laws and regulations, as it was tantamount to vote buying. Some people have accused the MP of abusing the scheme to gain mileage ahead of the pending election.

## **Matebeleland North**

Just like in most provinces, the electorate in this province is rather sceptical about the new electoral laws such as the counting of votes at the same polling station because this might be a cause for prejudice and victimisation from any losing party. In Tsholotsho, there are allegations that kraal heads were intimidating the electorate to support the opposition.

## **Mashonaland East**

Reflections on the various constituencies of Mashonaland East in view of voter registration amply testified the prevalence of registration through coercion. It is being alleged that traditional leaders indirectly or directly forced people to register claiming that they already had a list of all those eligible to vote and one's failure to register would throw him or her into unspecified serious consequences. Along the same line landlords (house owners) in areas like Rusike and Dombotombo in Marondera, were forced to register their tenants by suspected ruling party functionaries. The inspection process was not well advertised in some constituencies to the effect that some people were not aware of it.

Whilst in other constituencies there were door-to-door campaigns encouraging people to inspect the voters' roll in Dombotombo suburb there was however, compulsory inspection in fear of the alleged hovering threat of the ruling party's disciplinary measures.

The issue of hidden inspection centers was witnessed at places like Forest Lodge and Igava areas where inspection was done at imposingly perilous places that deterred a significant number of eligible voters from inspecting their names.

In some areas it is alleged that people were forced to attend ruling party rallies. Vote buying was also witnessed where food handouts and agriculture inputs were used as incentives. In addition it is alleged that government food distribution and even AIDS Levy distributions were done at political rallies. No opposition party activities were tolerated in almost every section of the province, leaving other contesting parties at a quandary, as they had no room to campaign.

## **Mashonaland West**

Posters about the inspecting the voters' roll placed by the ESC were seen in most constituencies in this province but however the turnout was relatively poor.

This might have been attributed to a prevalence of violence in Makonde and Hurungwe West during the intra-party campaigns for primary elections. A dominance of vote buying in all political actors was witnessed. In Chinohoi voters were enticed through distribution of free party cards and in Sanyati prospective candidates lured voters for allegiance through supply of clothes for women, bicycles, food, and

fertilizers. Noted also is the alleged abuse of state resources like state vehicles during primary election campaigns by the ruling party.

Overallly the primary elections in this province are said to have been marred by intimidation, high tensions and the obvious degeneration into violent encountered in most areas of the province save for Zvimba North and South that did not go through the primary elections as the candidates were said to have been unanimously endorsed to represent the party and were unopposed.

Civic Organizations did little activities whilst in some areas, voter education was carried out by the ESC.

### **Mashonaland Central**

Inspection of the voters' roll was adequately publicized by the ESC and there was high turnout. Admittedly, the process was carried out satisfactorily and it was not restrictive. In certain areas of the province voter inspection was marred by voter apathy.

Imposition of candidates was rife resulting into disgruntlement among supporters. The province is a no go area for other political parties, and party cards are compulsory and failure to produce one results in grievous consequences. It is alleged that there was serious monitoring of movements for suspected opposition party members or new comers in the province and if seen they were supposed to report to the war veterans particularly on the purpose of visiting the province and their duration of stay. Vote buying was witnessed at campaign rallies where bicycles and farming inputs were distributed. However some constituencies in the province held peaceful campaigns like distribution of flyers and party regalia. This is one province that had a complete shutout of civic organizations, resultantly little education was carried out by civic organisations.

### **Public comments on the possible outcome of the impending elections**

There have been numerous paradigms that are being used to predict the possible outcome of the impending election. On one hand there are those claiming that the ruling party will win the poll while on the other, the opposition will take the poll. At the time of writing this report ZESN was still trying to get party manifestos for all contesting political parties.

According to some political analysts, the MDC will lose the coming election as the people of “can never allow Zimbabwe to be a colony again”. The analysts argue that in this election ZANU PF would once again prove to the word that it is the only party, which brought political and economic freedom to the people of Zimbabwe. They refer to the colonial situation where the colonialists used to discriminate against the black majority. The history of the armed struggle is the paradigm they use to justify the outcome of the election to the side of ZANU PF. Some of the reasons put forward for the loss of the opposition party in the coming election are:

- MDC has never defeated ZANU PF in the elections and is unlikely to fair any better in the coming election.
- MDC has no clear-cut policy on how it would rule the country even if given the chance
- MDC knows it has never done anything positive for the country other than calling for economic sanctions and causing mayhem
- ZANU PF has scored many successes in the areas of industry, education and health while MDC is mostly known for making noise in the parliament. This statement seems contrary to the fat that the President had expressed concern over the low pass rates that are being experienced in the schools especially those in the rural areas. In Silobela they had a three percent pass in other areas 19 percent and 27 percent has been the highest so far. (Chronicle18 February 2005)
- MDC can never win the support of the majority because it is tool of the white imperialists designed to try and bring about a regime change through unorthodox means.

These are according to the concerned analysts are the reasons why ZANU PF will win, but a reverse analysis to the above facts will reveal that it is basically for the same reasons that the MDC says will win the impending poll. One tends to question on whether the argument that the MDC has never defeated ZANU PF but is a fact that the opposition party managed to win 57 seats in a period less than six months after its formation. However on another note some political analysts also argue that;

- The ruling party has plundered the once vibrant economy through its chaotic land reform programme that brought the agricultural sector to its knees.
- MDC believes that they have won the broad struggle against tyranny; they believe they are firmly driving the political agenda.



- MDC has a vision that of a new Zimbabwe whose focus shall be on food security and jobs all of these that had been put in jeopardy by the ZANU PF.
- The MDC is striving to transform Zimbabwe's political culture, to roll the nation back to the ideals of the liberation struggle, to extend basic freedoms and to put together all aspects of the nation into a single unit.
- The MDC believes that an analysis of the regime's vision, programmes and behavior shows that it is no longer possible for the status quo to turn around the nation's fortunes as is being argued by the ruling party. That leaves the people with a single option to start afresh, in a new setting, with a leadership that has a clean record and unblemished ideas.
- ZANU PF has no strategy on intra-party democracy
- ZANU PF has no strategy on regaining good relations with the international community and hence there is no investor confidence.
- Mugabe wants 2/3 majority but however, considering party divisions which emerged after the primary elections this is a big challenge again for the party.
- The prevailing economic hardships being felt by voters, remains another challenge for the ruling party.

The above are the different and contrasting ideas that the major contesting political parties believe have so as to win the coming election. The outcome of the election at the moment is rather tricky to predict. Both parties are confident of winning whilst on the other hand the issue of independent candidates remains an interesting one taking into consideration that in 2000 most independent candidates lost the election but this time round it will be interesting to see how Tsholotsho and Harare central will ferry. This is because at present, there is lot of apathy especially among the urban electorate on why they should go and vote in the coming election. On the one hand the electorate is of the argument that the opposition did not do much to change their fortunes since their election into parliament in to last five years. It's also at the same instance that they understand that the opposition had no space to effect any changes since they were not the sitting government. The electorate is also aware of the fact that the ZANU PF has since 1980 ruled the country such that this is enough for them to have proved their worth. It is however very difficult for one to accurately predict the outcome of the election since the electorate remains with the final say on the voting day.

## **CONCLUSION**

There are a number of challenges that the organization faces in the impending election. The main challenge concerns the issue of accreditation. In the past elections accreditation was centralized and the organisation hopes that this time the ESC will consider ZESN's recommendation, which the organisation has been putting forward since 2002 that accreditation should be decentralized. This will ensure efficiency in whole process and will also reduce transport and accommodation costs on the part of those seeking to be accredited. Delays in publicity of number and location of polling stations made it difficult for the organisation to train and deploy observers.

The NGO bill has also affected the civic organizations, as there is uncertainty whether the bill will be signed or not. At the moment many organizations have reduced their operations due to the turnovers of staff to more stable circles such as the public service and lack of funding.

The upcoming election is indeed of great importance to the nation. ZESN is making frantic efforts in preparation for the election. However, the organization is of the opinion that the nation is not yet in the election mood as compared to the situation in 2000. Moreover, the state bodies tasked with ensuring the smooth running of elections in Zimbabwe including the ZEC were set up late and are still to prove if they are in a position to perform any meaningful functions within the few days left.

ZESN's message to the electorate is to encourage all registered voters to go out in all their numbers and vote peacefully in the forthcoming elections. The organisation also encourages all concerned political parties to advise their supporters to engage in non-violent campaign strategies.

### ***Areas of concern;***

1. Voting in one day, the need for more polling stations
2. Need for light especially in rural areas where there is no electricity considering that counting will be done at the polling station will start after closure of polling (after 7pm)
3. Security at polling stations especially during counting
4. Transparency in transmission of results, whether counting is going to be done at polling stations or at constituency level.

5. Police should allow all political parties to contest freely-POSA
6. Accreditation should be decentralized and observers should be accredited early.
7. Role of traditional leaders during elections
8. Access to balanced state resources by all contesting political parties and candidates.
9. Continued and effective coordination of electoral management bodies and also timeous consultations with all stakeholders
10. Adequate and effective voter information to the electorate 'e.g. publicity of polling stations on time, how voting in one day is to be done, use of translucent ballot boxes and counting procedures etc
11. Publicity of constituency boundaries- to avoid voters going to wrong constituencies
12. State agents should undertake their duties in a professional, non-partisan manner and should not apply the law selectively
13. Zero tolerance on violence
14. The electorate is scared of retribution and should be re-assured on the issue of counting at polling station and use of translucent ballot boxes.
15. Voter apathy
16. Postal voting still a major concern.

## LIST OF CANDIDATES FOR THE 2005 GENERAL ELECTION

### Annexure 1.

Province	Constituency	Party	Candidate Name	Gender
Masvingo	Bikita East	ZANU(PF)	KENNEDY MATIMBA	Male
Masvingo	Bikita East	MDC	EDMORE MARIMA	Male
Masvingo	Bikita East	ZANU(Ndonga)	CALIPHAS MUTONGA	Male
Masvingo	Bikita West	ZANU(PF)	CLAUDIUS MAKOVA	Male
Masvingo	Bikita West	MDC	ALEX ZIRABADA	Male
Masvingo	Chiredzi North	ZANU(PF)	CELINE POTE	Female
Masvingo	Chiredzi North	Independent	OTTILIA MALULEKE	Female
Masvingo	Chiredzi North	ZANU(Ndonga)	ONIAS MAKUNI	Male
Masvingo	Chiredzi North	MDC	ZVIREVO NGIRIVANA	Male
Masvingo	Chiredzi South	Independent	NEHENNIA ZANAME	Male
Masvingo	Chiredzi South	ZANU(PF)	AARON BALOYI	Male
Masvingo	Chiredzi South	MDC	EMMACULATE MAKONDO	Female
Masvingo	Chivi North	ZANU(PF)	ENITA MAZIRIRI	Female
Masvingo	Chivi North	MDC	BERNARD CHIONDEGWA	Male
Masvingo	Chivi South	ZANU(PF)	CHARLES MAJANGE	Male
Masvingo	Chivi South	MDC	STEVEN CHENGETA	Male
Masvingo	Gutu North	ZANU(PF)	JOSAYA TUNGAMIRAI	Male
Masvingo	Gutu North	MDC	CRISPA MUSONI	Male
Masvingo	Gutu South	ZANU(PF)	SHUVAI MAHOFA	Female
Masvingo	Gutu South	MDC	STEVEN CHENGETA	Male
Masvingo	Masvingo	ZANU(PF)	SHYLET UYOYO	Female
Masvingo	Masvingo	MDC	TONGAI MATUTU	Male
Masvingo	Masvingo	Independent	SILAS MANGONO	Male
Masvingo	Masvingo North	ZANU(PF)	STAN MUDENGE	Male
Masvingo	Masvingo North	MDC	JOSEPHY MUTEMA	Male
Masvingo	Masvingo	ZANU(PF)	WALTER MZEMBI	Male
Masvingo	Masvingo	MDC	GREEN GWATINYANYA	Male
Masvingo	Mwenezi	ZANU(PF)	ISAYA SHUMBA	Male
Masvingo	Mwenezi	MDC	CHARLES MUZENDA	Male
Masvingo	Zaka East	ZANU(PF)	TINOS RUSERE	Male
Masvingo	Zaka East	MDC	MISHECK MARARA	Male

Masvingo	Zaka West	ZANU(PF)	MABEL MAWERE	Female
Masvingo	Zaka West	MDC	HARISON MUDZIRI	Male
Midlands	Chirumanzu	ZANU(PF)	EDWIN MUGUTI	Male
Midlands	Chirumanzu	MDC	REGIS FAMBISAI	Male
Midlands	Gokwe Chireya	ZANU(PF)	LEONARD CHIKOMBA	Male
Midlands	Gokwe Chireya	MDC	SIBANGANI SILANDU	Male
Midlands	Gokwe	ZANU(PF)	FLORA BHUKA	Female
Midlands	Gokwe	MDC	FARAI MAGAYA	Male
Midlands	Gokwe	ZANU(PF)	LOVEMORE MUPUKUTA	Male
Midlands	Gokwe	MDC	AARON CHINHARA	Male
Midlands	Gokwe South	ZANU(PF)	JAISON MACHAYA	Male
Midlands	Gokwe South	MDC	LAMECK NKIWANE	Male
Midlands	Gokwe Kana	ZANU(PF)	MAX K. MACHAYA	Male
Midlands	Gokwe Kana	MDC	MUYAMBI L. NKIWANE	Male
Midlands	Gweru Rural	MDC	RENSON GASELA	Male
Midlands	Gweru Rural	ZANU(PF)	JOSPHAT MADUBEKO	Male
Midlands	Gweru Urban	ZANU(PF)	ENOS SIZE	Male
Midlands	Gweru Urban	MDC	TIMOTHY MUKAHLERA	Male
Midlands	Kwekwe	MDC	BLESSING CHEBUNDO	Male
Midlands	Kwekwe	ZANU(PF)	EMMERSON MNANGAGWA	Male
Midlands	Mberengwa	Independent	GOODWILL SHIRI	Male
Midlands	Mberengwa	ZANU(PF)	RUGARE GUMBO	Male
Midlands	Mberengwa	MDC	SEKAI HOLLAND	Female
Midlands	Mberengwa	ZANU(PF)	JORUM GUMBO	Male
Midlands	Mberengwa	MDC	TINOZIVASHE MPOFU	Male
Midlands	Mkoba	ZANU(PF)	PAUL CHIGANGO	Male
Midlands	Mkoba	MDC	AMOS CHIBAYA	Male
Midlands	Shurugwi	ZANU(PF)	FRANCIS NHEMA	Male
Midlands	Shurugwi	MDC	BONIFACE MPEDZISI	Male
Midlands	Silobela	ZANU(PF)	THOMAS THEMBA NDEBELE	Male
Midlands	Silobela	MDC	ABEDNIGO MALINGA	Male
Midlands	Zhombe	ZANU(PF)	DANIEL MACKENZIE NCUBE	Male
Midlands	Zhombe	MDC	EDSON NYATHI	Male
Mashonaland	Chikomba	ZANU(PF)	TICHAONA JOKONYA	Male
Mashonaland	Chikomba	MDC	PIMIEL KUDENGA	Male
Mashonaland	Wedza	ZANU(PF)	AENEAS CHIGWEDERE	Male
Mashonaland	Wedza	MDC	THERESA MAKORE	Female
Mashonaland	Marondera	ZANU(PF)	SYDNEY SEKEREMAI	Male
Mashonaland	Marondera	MDC	JAMES IAN KAY	Male
Mashonaland	Marondera	ZANU(PF)	AMBROSE MUTINHIRI	Male
Mashonaland	Marondera	MDC	SHADRECK DZAKOROMOKA	Male
Mashonaland	Uzumba	ZANU(PF)	KENNETH MUTIWEKUZIVA	Male
Mashonaland	Uzumba	MDC	STEWART PAIREMANZI	Male
Mashonaland	Mutoko North	MDC	SHUPIKAI M. MANDAZA	Female
Mashonaland	Mutoko North	ZANU(PF)	DAVID CHAPFIKA	Male
Mashonaland	Mutoko South	ZANU(PF)	OLIVIA MUCHENA	Female
Mashonaland	Mutoko South	MDC	DERICK MUZIRA	Male

Mashonaland	Seke	ZANU(PF)	PHINEAS CHIHOTA	Male
Mashonaland	Seke	MDC	MILTON BENE	Male
Mashonaland	Mudzi West	ZANU(PF)	AQUALINA KATSENDA	Female
Mashonaland	Mudzi West	MDC	SHORAI TSUNGU	Female
Mashonaland	Mudzi East	Independent	TENDAI MAROWA	Male
Mashonaland	Mudzi East	ZANU(PF)	RAY KAUKONDE	Male
Mashonaland	Mudzi East	MDC	ESSAU MACHEMEDZI	Male
Mashonaland	Murehwa North	ZANU(PF)	DAVID PARIRENYATWA	Male
Mashonaland	Murehwa North	MDC	ALOIS MUDZINGWA	Male
Mashonaland	Goromonzi	ZANU(PF)	HERBERT MEREWA	Male
Mashonaland	Goromonzi	MDC	CLAUDIUS MARIMO	Male
Mashonaland	Murehwa South	ZANU(PF)	JOEL B. MATIZA	Male
Mashonaland	Murehwa South	MDC	ALASKA KUMIRAI	Male
Mashonaland	Zvishavane	ZANU(PF)	OBERT MATSHALAGA	Male
Mashonaland	Zvishavane	MDC	SIMON DICK	Male
Mashonaland	Chequtu	ZANU(PF)	WEBSTER SHAMU	Male
Mashonaland	Chequtu	MDC	ZVAMPILA NOMHLE	Male
Mashonaland	Chinhoyi	ZANU(PF)	FABER CHIDARIKIRE	Male
Mashonaland	Chinhoyi	MDC	SILAS MATAMISE	Male
Mashonaland	Hurungwe East	ZANU(PF)	REUBEN MAUMAHOKO	Male
Mashonaland	Hurungwe East	MDC	BIGGIE HAUROBHI	Male
Mashonaland	Hurungwe	MDC	GODFREY GUMBO	Male
Mashonaland	Hurungwe	ZANU(PF)	CEICILIA GWACHIRWA	Female
Mashonaland	Kadoma	MDC	EDITOR MUTAMISA	Male
Mashonaland	Kadoma	ZANU(PF)	JIMAYI MUDUVURI	Male
Mashonaland	Kariba	MDC	NATHAN MUKWASHA	Male
Mashonaland	Kariba	ZANU(PF)	JONATHAN CHANDENGENDA	Male
Mashonaland	Mhondoro	ZANU(PF)	SYLVESTER NGUNI	Male
Mashonaland	Mhondoro	MDC	SHAKESPEAR MAYA	Male
Mashonaland	Manyame	MDC	HILDA MAFUDZE	Female
Mashonaland	Manyame	ZANU(PF)	PATRICK ZHUWAWO	Male
Mashonaland	Makonde	MDC	JEFFAT KAREMBA	Male
Mashonaland	Makonde	ZANU(PF)	LEO MUGABE	Male
Mashonaland	Ngezi	MDC	FLORA HOTYO	Female
Mashonaland	Ngezi	ZANU(PF)	BRIGGHT MATONGA	Female
Mashonaland	Sanyati	ZANU(PF)	ZAKARIA ZIYAMBI	Male
Mashonaland	Sanyati	MDC	TREVOR RUZVIDZO	Male
Mashonaland	Zvimba North	ZANU(PF)	IGNATIUS CHOMBO	Male
Mashonaland	Zvimba North	MDC	PRINCE CHIBANDA	Male
Mashonaland	Zvimba South	ZANU(PF)	SABINA MUGABE	Female
Mashonaland	Zvimba South	MDC	EMILLIE MASIMBA	Female
Harare	Harare Central	MDC	MURISI ZWIZWAI	Male
Harare	Harare Central	ZANU(PF)	FLORENCE CHIDEYA	Female
Harare	Harare Central	Independent	MARGARET DONGO	Female
Harare	Harare North	MDC	TRUDY STEVENSON	Female
Harare	Harare North	ZANU(PF)	NYASHA CHIKWINYA	Female
Harare	Harare South	MDC	JAMES MUSHONGA	Male

Harare	Harare South	ZANU(PF)	HUBERT NYANHONGO	Male
Harare	Harare East	MDC	TENDAYI BITI	Male
Harare	Harare East	ZANU(PF)	MUVENGWA MUKARATI	Male
Harare	Budiriro	MDC	GILBERT SHOKO	Male
Harare	Budiriro	ZANU(PF)	DAVID MAKUFA	Male
Harare	Chitungwiza	MDC	FIDELIS MHASHU	Male
Harare	Chitungwiza	ZANU(PF)	BRIGHTON CHIRONGWE	Male
Harare	Dzivarasekwa	MDC	EDWIN MUSHRIWA	Male
Harare	Dzivarasekwa	ZANU(PF)	FRANCIS MUCHADA	Male
Harare	Glen Norah	MDC	P. MUSHAIRAMBWI-MUSHONGA	Female
Harare	Glen Norah	ZANU(PF)	VICTORIA CHITEPO	Female
Harare	Glen Norah	ZIYA	THOMAS GWATI	Male
Harare	Glen View	MDC	PAUL MADZORE	Male
Harare	Glen View	ZANU(PF)	SABINA MANGWENDE	Female
Harare	Hatfield	MDC	TAPIWA MASHAKADA	Male
Harare	Hatfield	ZANU(PF)	AMOS MIDZI	Male
Harare	Highfield	MDC	PEARSON MUNGOFA	Male
Harare	Highfield	ZANU(PF)	RODRICK NYANDORO	Male
Harare	Highfield	ZANU(Ndonga)	SEKAI DUTIRO	Female
Harare	Kambuzuma	MDC	WILLIS MADZIMURE	Male
Harare	Kambuzuma	ZANU(PF)	SAMUEL MVURUME	Male
Harare	Kuwadzana	MDC	NELSON CHAMISA	Male
Harare	Kuwadzana	ZANU(PF)	DAVID MUTASA	Male
Harare	Mbare	MDC	GIFT CHIMANIKIRE	Male
Harare	Mbare	ZANU(PF)	TENDAI SAVANHU	Male
Harare	Mbare	Independent	DUNMORE MAKUVAZA	Male
Harare	Mufakose	MDC	PAULINE MPARIWA	Female
Harare	Mufakose	ZANU(PF)	SABINA THEMBANI	Female
Harare	Mufakose	ZANU(Ndonga)	GODFREY MAGAYA	Male
Harare	St Mary's	MDC	JOB SIKHALA	Male
Harare	St Mary's	Independent	TENDEKAI MSWATA	Male
Harare	St Mary's	ZANU(PF)	PATRICK NYARUWATA	Male
Harare	Tafara-	MDC	TIMOTHY MUBHAU	Male
Harare	Tafara-	ZANU(PF)	PAMELA TUNGAMIRAI	Female
Harare	Tafara-	Independent	FANUEL CHIREMBA	Male
Harare	Zengeza	MDC	GOODRICH CHIMBAIRA	Male
Harare	Zengeza	ZANU(PF)	CHRISTOPHER CHIGUMBA	Male
Harare	Zengeza	Independent	EMILDA MUCHAIRA	Female
Bulawayo	Bulawayo East	MDC	WELSHMAN NCUBE	Male
Bulawayo	Bulawayo East	ZANU(PF)	JOSHUA MALINGA	Male
Bulawayo	Bulawayo	MDC	DAVID COLTART	Male
Bulawayo	Bulawayo	ZANU(PF)	SITHEMBISO NYONI	Female
Bulawayo	Bulawayo	Independent	CHARLES MPOFU	Male
Bulawayo	Pelandava	MDC	MILTON GWETU	Male
Bulawayo	Pelandava	ZANU(PF)	SIKHANYISO NDLOVU	Male
Bulawayo	Pelandava	Independent	LEONARD NKALA	Male
Bulawayo	Nkulumane	MDC	GIBSON SIBANDA	Male

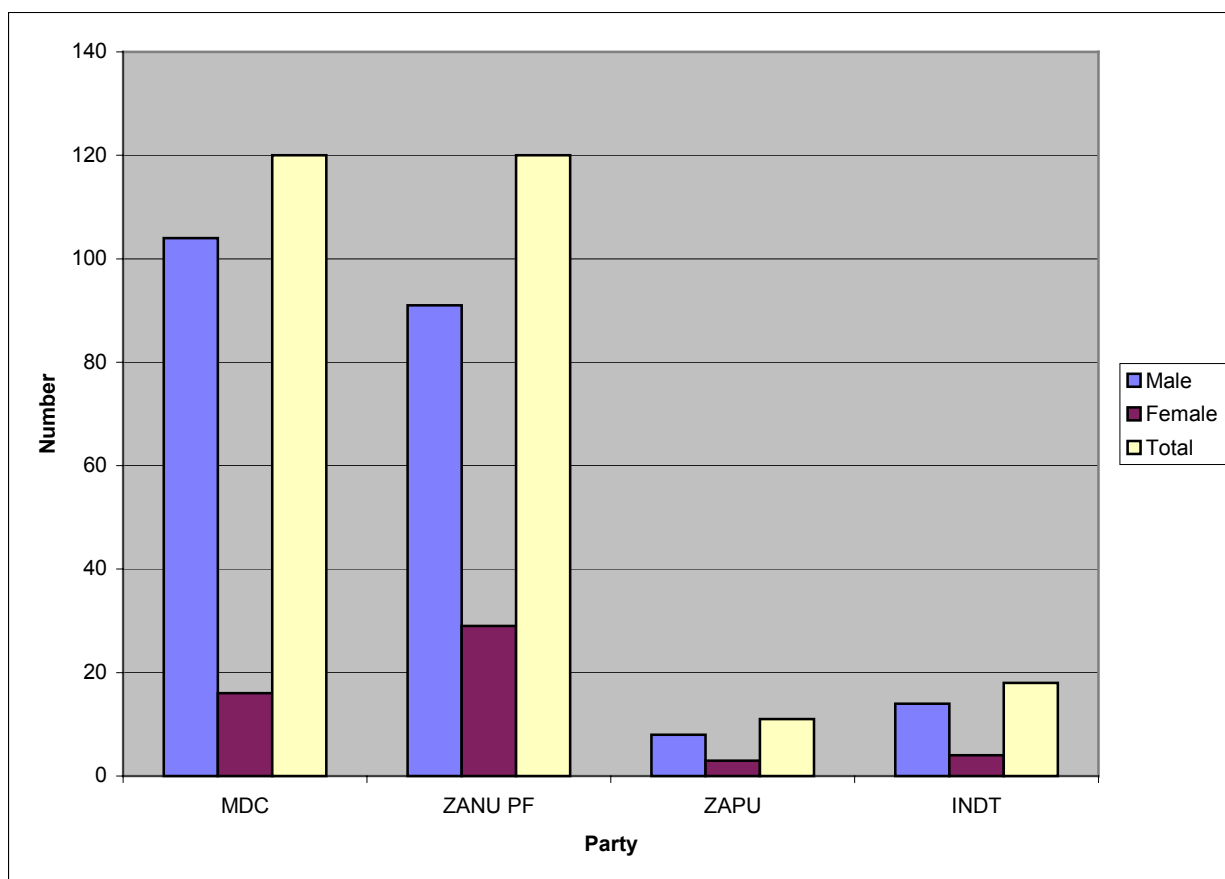
Bulawayo	Nkulumane	ZANU(PF)	ABSLOM	Male
Bulawayo	Pumula-Luveve	MDC	ESAPH MDLONGWA	Male
Bulawayo	Pumula-Luveve	ZANU(PF)	MICHAEL B. MPOFU	Male
Bulawayo	Pumula-Luveve	Independent	STARS MATHE	Female
Bulawayo	Lobenqula-	ZANU(PF)	MOLLY MPOFU	Female
Bulawayo	Lobenqula-	MDC	FLETCHER DULINI NCUBE	Male
Bulawayo	Makokoba	ZANU(PF)	SIHLE THEBE	Female
Bulawayo	Makokoba	MDC	THOKOZANI KHUPHE	Female
Bulawayo	Makokoba	Independent	ARNOLD PAYNE	Male
Bulawayo	Makokoba	Independent 1	WILSON BANCINYANE-NDIWENI	Male
Matebeleland	Matobo	MDC	LOVEMORE MOYO	Male
Matebeleland	Matobo	ZANU(PF)	ANANIAS NYATHI	Male
Matebeleland	Gwanda	ZANU(PF)	ABEDNICO NCUBE	Male
Matebeleland	Gwanda	MDC	PAUL T. NYATHI	Male
Matebeleland	Beitbridge	ZANU(PF)	KEMBO MOHADI	Male
Matebeleland	Beitbridge	Independent	LLOYD SIYOKA	Male
Matebeleland	Beitbridge	MDC	MURUMWA SIPHUMA	Male
Matebeleland	Beitbridge	ZANU(Ndonga)	SIBONGILE SIBANDA	Female
Matebeleland	Insiza	ZANU(PF)	ANDREW LANGA	Male
Matebeleland	Insiza	MDC	SIYABONGA NCUBE	Male
Matebeleland	Bulilima	MDC	MOSES M. NDLOVU	Male
Matebeleland	Bulilima	ZANU(PF)	MAJOR L. NLEYA	Male
Matebeleland	Mangwe	ZANU(PF)	EUNICE N. MOYO	Female
Matebeleland	Mangwe	MDC	EDWARD T. M. MKHOSI	Male
Matebeleland	Umzingwane	MDC	NOMALANGA M. KHUMALO	Female
Matebeleland	Umzingwane	ZANU(PF)	ABIGAIL E.S. DAMASANE	Female
Matebeleland	Binga	ZANU(PF)	GEORGE NYATHI	Male
Matebeleland	Binga	MDC	GABUZA J. GABUZA	Male
Matebeleland	Bubi -Umquza	MDC	MABIKWA THABE	Male
Matebeleland	Bubi -Umquza	ZANU(PF)	ORBERT MPOFU	Male
Matebeleland	Tsholotsho	MDC	MTOLIKI SIBANDA	Male
Matebeleland	Tsholotsho	Independent	JONATHAN MOYO	Male
Matebeleland	Tsholotsho	ZANU(PF)	MUSA NCUBE	Male
Matebeleland	Nkayi	ZANU(PF)	THEMBANI O. MOYO	Male
Matebeleland	Nkayi	MDC	ABEDINICO BHEBHE	Male
Matebeleland	Hwange East	MDC	THEMBINKOSI SIBINDI	Male
Matebeleland	Hwange East	Independent	PETER NYONI	Male
Matebeleland	Hwange East	ZANU(PF)	THOKOZILE MATHUTHU	Female
Matebeleland	Hwange West	MDC	JEALOUS SANSOLE	Male
Matebeleland	Hwange West	ZANU(PF)	SIPHIWE MAPUWE	Female
Matebeleland	Lupane	ZANU(PF)	MARTIN KHUMALO	Male
Matebeleland	Lupane	MDC	NJABULISO MGUNI	Male
Manicaland	Buhera North	MDC	TICHAONA MUDZINGWA	Male
Manicaland	Buhera North	ZANU(PF)	WILLIAM MUTOMBA	Male
Manicaland	Buhera North	ZIYA	MOSES MUTYASIRA	Male
Manicaland	Buhera South	MDC	SOLOMON MADZORE	Male
Manicaland	Buhera South	ZANU(Ndonga)	SOLOMON MBAIMBAI	Male



Manicaland	Buhera South	ZANU(PF)	KUMBIRAI KANGAI	Male
Manicaland	Chimanimani	MDC	EILEEN BENNETT	Female
Manicaland	Chimanimani	ZANU(PF)	DR. SAMUEL UNDENG	Male
Manicaland	Chipinge North	MDC	MATHEUS MATEU-MHLAMBO	Male
Manicaland	Chipinge North	ZANU(PF)	MORRIS SAKABUYA	Male
Manicaland	Chipinge North	ZANU(Ndonga)	DANIEL TUSO	Male
Manicaland	Chipinge South	MDC	ELIA MAKOTORE	Female
Manicaland	Chipinge South	ZANU(PF)	ENOCK PORISINGAZI	Male
Manicaland	Chipinge South	ZANU(Ndonga)	WILSON KUMBULA	Male
Manicaland	Makoni East	ZANU(PF)	SHADRECK CHIPANGA	Male
Manicaland	Makoni East	MDC	PISHAYI MUCHAURAYA	Male
Manicaland	Makoni North	MDC	ELTON MANGOMA	Male
Manicaland	Makoni North	ZANU(PF)	DDYMUS MUTASA	Male
Manicaland	Makoni West	MDC	REMUS MAKUVAZA	Male
Manicaland	Makoni West	ZANU(PF)	JOSEPH MADE	Male
Manicaland	Makoni West	ZANU(Ndonga)	TENDAI CHEKERA	Male
Manicaland	Mutare Central	ZANU(PF)	SHADRECK BETA	Male
Manicaland	Mutare Central	MDC	INNOCENT GONESE	Male
Manicaland	Mutare Central	ZANU(Ndonga)	SYLVIA TSATA	Female
Manicaland	Mutare North	MDC	GILES MUTSEKWA	Male
Manicaland	Mutare North	ZANU(PF)	ELLEN GWARADZIMBA	Female
Manicaland	Mutare South	MDC	SYDNEY MUKWECHENI	Male
Manicaland	Mutare South	ZANU(PF)	FREDDY KANZAMA	Male
Manicaland	Mutare West	ZANU(PF)	CHRISTOPHER MUSHOHWE	Male
Manicaland	Mutare West	MDC	GABRIEL CHIWARA	Male
Manicaland	Mutasa North	MDC	EVELYN MUSAITI	Female
Manicaland	Mutasa North	ZANU(PF)	GEN. M. NYAMBUYA	Male
Manicaland	Mutasa South	ZANU(PF)	OPPAH MUCHINGURI	Female
Manicaland	Mutasa South	MDC	EDWIN MAUPA	Male
Manicaland	Nyanqa	ZANU(PF)	PAUL KADZIMA	Male
Manicaland	Nyanqa	MDC	DOUGLAS MWONZORA	Male
Mashonaland	Bindura	ZANU(PF)	ELLIOT MANYIKA	Male
Mashonaland	Bindura	MDC	JOEL MUGARIRI	Male
Mashonaland	Guruve North	ZANU(PF)	DAVID BUNTU	Male
Mashonaland	Guruve North	MDC	ALLAN MARCOMIC	Male
Mashonaland	Guruve South	ZANU(PF)	EDWARD CHINDORI-CHININGA	Male
Mashonaland	Guruve South	MDC	BIGGIE CHIGONERO	Male
Mashonaland	Mazowe East	ZANU(PF)	CHEN CHIMUTENGWENDE	Male
Mashonaland	Mazowe East	MDC	SHEPHERD MUSHONGA	Male
Mashonaland	Mazowe East	ZANU(Ndonga)	GIDEON CHINOUREI	Male
Mashonaland	Mazoe West	ZANU(PF)	SABINA ZINYEMBA	Female
Mashonaland	Mazoe West	MDC	MICHAEL GONYE	Male
Mashonaland	Mt Darwin	ZANU(PF)	JOYCE MUJURU	Female
Mashonaland	Mt Darwin	MDC	CHINOTO MUKWEZVARAMBA	Male
Mashonaland	Mt Darwin	ZANU(PF)	SAVIOUR KASUKUWERE	Male
Mashonaland	Mt Darwin	MDC	HENRY CHIMBIRI	Male
Mashonaland	Muzarabani	ZANU(PF)	LUKE MUSHOWE	Male

Mashonaland	Muzarabani	MDC	EDWIN ZAMBARA	Male
Mashonaland	Rushinga	ZANU(PF)	SANDRA MACHIRIRO	Female
Mashonaland	Rushinga	MDC	BRAIN MUFUKU	Male
Mashonaland	Shamva	ZANU(PF)	NICHOLAS GOCHE	Male
Mashonaland	Shamva	MDC	GODFREY CHIMOMBE	Male

## Annexure 2 Gender analysis per party



### Gender analysis per party

The above graphical illustrations clearly shows how the representation of women in terms of candidature in the forthcoming election. As shown above, ZANU PF has the greatest number of women candidates and this might be attributed to the party's will to comply by the SADC Protocol on Gender Equality and representation in Parliament to which Zimbabwe is a signatory. The protocol states that by 2005 every SADC state should be having at least 30% women representation in power. In this instance ZANU PF is

fielding more candidates for the coming election as compared to the MDC. This is a very welcome position that has been taken but the main opposition party still needs to do more on meeting the gender representation requirements.

## COMPARISON OF REGISTERD VOTERS IN YEAR 2000 & 2005

### Annexure 3

PROVINCE	DESCRIPTION	2000	2005
<b>BULAWAYO</b>	Number of Registered Voters	357 281	339 990
	Percentage of total Number of Registered Voters	7%	6%
	Number of Constituencies	8	7
<b>HARARE</b>	Number of Registered Voters	799 452	832 571
	Percentage of total Number of Registered Voters	15.83%	14.71%
	Number of Constituencies	19	18
<b>MANICALAND</b>	Number of Registered Voters	576 404	686 767
	Percentage of total Number of Registered Voters	11.41%	12.13%
	Number of Constituencies	14	15
<b>MASH CENTRAL</b>	Number of Registered Voters	418 277	490 181
	Percentage of total Number of Registered Voters	8.28%	8.66%
	Number of Constituencies	10	10
<b>MASH EAST</b>	Number of Registered Voters	506 817	610 715
	Percentage of total Number of Registered Voters	10.03%	10.79%
	Number of Constituencies	12	13
<b>MASH WEST</b>	Number of Registered Voters	502 964	593 354
	Percentage of total Number of Registered Voters	9.96%	10.48%

	Number of Constituencies	12	13
<b>MASVINGO</b>	Number of Registered Voters	593 778	675 234
	Percentage of total Number of Registered Voters	11.76%	11.93%
	Number of Constituencies	14	14
<b>MAT NORTH</b>	Number of Registered Voters	317 405	342 745
	Percentage of total Number of Registered Voters	6.29%	6.06%
	Number of Constituencies	7	7
<b>MAT SOUTH</b>	Number of Registered Voters	319 015	341 258
	Percentage of total Number of Registered Voters	6.33%	6.03%
	Number of Constituencies	8	7
<b>MIDLANDS</b>	Number of Registered Voters	58 422	745 822
	Percentage of total Number of Registered Voters	13.52%	13.18%
	Number of Constituencies	16	16
<b>TOTALS</b>	Number of Registered Voters	<b>5 049 815</b>	<b>5 658 637</b>
	Percentage of total Number of Registered Voters	<b>100.41%</b>	<b>99.97%</b>
	Number of Constituencies	<b>120</b>	<b>120</b>

# ZIMBABWE ELECTION SUPPORT NETWORK



March 2005 Parliamentary Elections

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## **PRELIMINARY REPORT**

Number. 2

## **Introduction**

Zimbabwe's 2005 parliamentary election still remains a "litmus test" for implementation of SADC guidelines for the conduct of democratic elections. As a follow up to the 1<sup>st</sup> preliminary report for the upcoming elections on the 31<sup>st</sup> of March 2005, the Zimbabwe Election Support Network (ZESN) has produced this 2<sup>nd</sup> report covering period of 15<sup>th</sup> of February 2005 up to end of March 2005. This report is going to consider all the reports that we have from the media and other civic groups as well as from ZESN's long term observers on the ground that have been providing us with all the information pertaining to voter registration and inspection, political climate, use of state resources by the contesting political parties, campaigning by political parties, use of headmen and chiefs to force people to attend party meetings and the application of the legal framework on political parties. We attached as an annexure an assessment of SADC Principles and Guidelines so far.

## **Election Management Bodies**

The Electoral Supervisory Commission's role is to supervise the elections. Zimbabwe Electoral Commission undertakes the management of elections in Zimbabwe. On the 1<sup>st</sup> of March 2005 ZEC formed the National Elections Logistics Committee that is a reclamation of the Election Directorate. ZEC started to conduct voter education in the print and electronic media and this started two weeks before the elections. ESC has also managed to accredit a about 8500 local observers, 45 regional and international organisations whom were invited by the Minister of Foreign Affairs as well as journalists that are going to cover the elections. ZEC has managed to conduct briefing meetings to the accredited observers on the 23<sup>rd</sup> and 29<sup>th</sup> of March 2005. On 28<sup>th</sup> of March, ZEC trained polling officers and were deployed on 28<sup>th</sup> of March. It is alleged that

some polling officers were refused entry in parts of Mashonaland East especially in Mudzi. The ESC decentralized accreditation of observers to Bulawayo to reduce transport costs for observers than for all to come to Harare. Of concern is that the accreditation of observers was only done in Harare and Bulawayo, and this needs to be decentralized further to other constituencies. The cost of accreditation rose from ZW\$10 000 up to ZW\$100 000, and this meant organizations which had a large number of observers such as ZESN had difficulty in getting the accreditation fees. ESC should design a faster, cheap and easy way of accrediting local observers at constituency level.

ZESN had about 6500 observers accepted by the Minister of Justice and Parliamentary Affairs. At the time of writing, accreditation was still going on. The ZCTU observers were not invited because of their links to COSATU. Of concern is the selective invitation of observers leaving out the Parliamentary Forum observer team and Electoral Institute of Southern Africa (EISA) with vast experience in election observation in the region. On the other hand the Minister stated that the team did not represent any state and it is not an official organ of SADC and had no right to be invited and that the teams had no legal right to be invited, only SADC members could be invited.

Though ZEC became effective in February, they announced the polling stations on 18 March 2005 as well as their polling officers on the 14<sup>th</sup> day before the elections as Section 51 (3) and 52 (2) (a) of the Electoral Act (Chapter 2:13). The number of polling stations kept on changing from the figure announced by ZEC chair and the one published in newspapers.

## **Voter Education**

Voter education started late in March by ZEC though it was an ongoing process before by ESC. The ESC advertised the inspection and voter registration though in some areas this was not extensively undertaken. ZEC also has been airing its adverts in the print media and electronic media especially the one day voting advertisements. It lacked other key aspects about the procedures of voting in 3 lines; boundaries of constituencies and also maps were also not available easily. A copy of the delimitation report was sold at \$ 350 000.00 an amount high for members of the public. ZESN was given permission through the telephone to conduct voter education by ZEC and this has resulted in more ZESN's adverts in the print as well as the electronic media for the first time since inception. Since the Electoral Act came into effect in February 2005, more time was required for voter education especially on new changes using samples of new ballot boxes.

## **Voter's Roll Inspection and Registration**

ZEC did not supervise the voters' registration and inspection processes since they came in office after the processes were completed. It has been alleged that voter registration is still an on-going process after 4<sup>th</sup> of February inspection deadline. According to the Zimbabwe Independent (24/03/05), the Registrar General stated that this was meant for future elections. Though the voter's roll inspection was extended by nearly a week, in some areas, people did not know about it because it was not adequately publicised especially in rural areas.

An audit was done by a local NGO and alleged that 800 duplicates and ghost names are in the voters roll. The voter's roll was compiled before ZEC was established making it difficult for



ZEC to review and address concerns relating to it. Transparency, openness and access of the voters' roll should be enhanced by ZEC post election era.

ZESN requested a copy of the voter's roll but has not received it at the time of writing. Copies of the voter's roll should be available to all stakeholders but it is costly going for about ZW\$2 000 000 for one constituency and a total of ZW\$ 240 000 000.

### **Postal Voting**

Postal voting has only been afforded to members' of diplomatic representatives and of the uniformed forces and outside the country. For Zimbabweans in the diaspora, they lost a court judgment case handed down on 17 March 2005. However the Minister of Justice alleged that these people do not have a constituency in which they fall under. These people were also denied the ability to inspect the vote's roll. According to the Herald (14/03/05), the Minister reiterated that Zimbabweans outside the country could not vote on the 31<sup>st</sup> of March. As a result a number of eligible voters are disenfranchised. The number of postal votes was announced late but information on which constituencies they belong to is still unknown. Transparency on postal votes needs to be improved.

### **The Electoral Court.**

One of the cases that the court has convened is that of the jailed MDC MP (Roy Bennett), the ZEC in its judgment of 15<sup>th</sup> March 2005 had allowed jailed MP Roy Bennett to contest in the upcoming election and had set the 4<sup>th</sup> of April as the new nomination date of the candidates to contest the election and the 30<sup>th</sup> of April as the date for the election. The president described this as ‘‘madness’’ to the March 15 judgment of Justice Uchena putting pressure on the judiciary thereby affecting its independence. On Sunday the 27<sup>th</sup> of March, the decision was reversed and that the election should go on as set out in the Presidential Proclamation. The court has also turned down the claim by Renson Gasela that Josaphat Madubeko should not contest the upcoming election, as this is unlawful according to the Traditional Leaders Act.

### **Political Climate**

Though the political environment has been not as tense as the previous elections, there are some cases of violence that were reported in the independent and even state media, and in the state media it is said that the perpetrators were brought to book. According to the Herald (09/03/05), the Police Commissioner stated that 109 cases of violence had been committed and of these 67 offences were committed by ZANU PF and 47 by MDC. It is alleged that MDC activists and candidates distributing campaign material have been arrested in some places. It is alleged people in some areas like Mutare West were forced to attend rallies.

The opposition alleges that it was barred to campaign in places like Mudzi. It is alleged that in Mudzi and Mberengwa, opposition supporters had their national identity cards confiscated by ruling party activists. In some areas, people were forced to buy cards of the ruling party. Failure

to hold party cards makes it difficult to access the food for work programmes, or even buy maize from the GMB.

There are also allegations of threats and retribution during post election period especially that now votes are now counted at polling stations and that translucent ballot boxes make it easy to see how one could have voted. Adequate voter education and information by ZEC should have assisted to reverse these fears.

### **Role of Traditional Leaders**

It has been alleged that the ruling party has been forcing people to buy party cards as well as to attend ruling party rallies used some partisan traditional leaders. It is also alleged that traditional leaders have been used in the distribution of food. Traditional leaders are required to know those who hold party cards and these are the people who receive food aid. It is also alleged that traditional leaders are supposed to go with their villagers marking them on registers on voting day so that they can be in a position to know who might have voted. The timing of more to benefit to chiefs just increased towards election time means that they would have to be influential in drumming up support for the ruling party. Traditional leaders are supposed to be non – partisan and protect all citizens despite which political party they belong to.

### **Media Access**

On 16 February, the government gazzetted regulations governing political parties access to the electronic media during the impending elections this as a result improved coverage of all

contesting candidates than before. In the electronic media the political parties were free to air their party manifestos but need to pay for their adverts, which is too costly.

Access and coverage to the electronic media has been different. The MDC complained on the transmission of Mr. Tendai Biti's programme that was only clear in Chitungwiza and Harare but not in other parts of the country on the 20<sup>th</sup> of March. The MDC claimed that this was a form of sabotage. Newly formed ZIYA also had a share of the electronic media and it was on television on the 22<sup>nd</sup> of March 2005. The access to media by all political parties should be a continuous process not only during election period.

### **Political Party Funding**

According to the Political Funds Act, ZANU PF got ZW\$3,36 billion and the MDC got at least about ZW\$3,1 billion dollars. The threshold in the law disadvantages emerging smaller parties that do not meet this percentage in the parliament, thus funding it difficult to fund their campaign programmes and moreover the Zimbabwe law does not allow political parties to seek foreign funding.

### **Campaigning By Political Parties**

Campaigning has been peaceful in most areas although there have been minor cases of clashes between the contesting parties such as in Glen View. According to the MDC, one MDC rally was disrupted at Manyame Business Centre on the 12<sup>th</sup> of February. The police had earlier disrupted an MDC meeting in Harare on 17<sup>th</sup> of February 2005. According to Zimonline dated 25<sup>th</sup> March 2005, it alleges that scores of MDC activists have been arrested in the last two

months and recently Trudy Stevenson was arrested for distributing fliers at a traffic junction in her constituency and was only released after paying guilty fine. All the political parties have had some chances to campaign freely though at times the opposition has been restricted because of such laws as POSA and AIPPA. Despite POSA, the opposition political parties candidates have been able to campaign freely. MDC has also campaigned in areas that were previous no-go areas such as in Mutoko North and South on the 25<sup>th</sup> of February 2005 according to their Road-show schedule.

### **Freedom Of Association**

The Law Society has criticised POSA, AIPPA and the BSA, claiming that only one party is allowed to effectively communicate with potential voters. Such laws as POSA, AIPPA, Miscellaneous Act and the NGO Bill are all seen as curtailing freedom of association, assembly and expression and this is seen in the closures of Daily News, Daily News on Sunday, the Tribune and the Weekly Times by MIC. These laws have to be an agenda of all the stakeholders in the post election period and have to be reviewed or repealed.

### **An Analysis of Polling Stations**

In terms of the Section 51 (3) and 52 (2)(a) of the Electoral Act (Chapter 2:13) announced a list of polling stations and their polling officers on the 17<sup>th</sup> of March 2005. ZESN through its contacts with the electorate has been concerned with some of the locations of the polling stations to be used in the upcoming elections. Some are established in homesteads and prison farms such as Mazowe Prison Farm. These seem to be located in non-neutral areas and ZESN hereby urge ZEC to look into this issue. Some of the polling stations are listed below and this may likely

compromise the secrecy of the vote and instill fear to the electorate. Some of the polling stations include the following:

<b>Constituency</b>	<b>Name of Polling Station</b>
Chimanimani	Saweronber Homestaed
Chipinge North	Chief Mapungwana Homestead
Chipinge North	Chief Gwenzi Homestead
Rushinga	Chief Makuni (Mukazika Village)
Seke	Muza Store
Mudzi West	Tizova Homestead
Chiredzi North	Favershah Lot 3 Homestead
Gwanda	Highway Homestead
Insiza	Mpalawani Homestaed
Insiza	Gwamanyanga Homestead
Insiza	Albany Homestead (Tent)
Chirumanzu	Mahamara Homestead
Zhombe	Bonstead Homestead
Harare South	Airport Compound Store
Guruve South	Gangarahwe Village
Mazowe West	Ballinety Farm
Mt Darwin South	Gwetera Village
Muzarabani	Kingston Deveril Resettlement
Rushinga	Wara Village
Rushinga	Chinaka Village

Zvimba South	Mhandu Village
Zvimba South	Mwanga Resettlement
Masvingo Central	4 Brigade Headquarters
Hwange East	Mwemba Chiefs Hall
Bubi-Umguza	Molo Forestry (Wejiwa Homestead)

An analysis of the overall polling station as announced by ZEC shows disparities between rural and urban areas. It has been noted that few polling stations (with an average of about 30) have been allocated to all urban constituencies regardless of the huge populations in these areas. Rural areas allocated on average of 90 polling stations. It is still to be seen on polling day with the one-day voting if most voters will be able to exercise their right to vote by the end of the day, though it seems as if polling stations have increased as compared to 2000 and 2002. **See Annexe attached. 2**

Polling stations in most rural areas have been sited very close to each other, with distances of less than 5km between them in many cases. For example in Zvimba South Constituency, stations like Kutama Day Primary, Kutama Day Secondary and Kutama Farm Primary are all in one small area. The siting of these polling stations might facilitate voter processing but also likely to instil fear to some people. It has been alleged that every traditional leader in the area will have to go with “his people” to vote.

Similarly, large numbers of polling stations have been sited in the “new” resettlement areas where most the so-called War-veterans reside. It is believed that in these areas there may be

many ZANU PF supporters who benefited during the land redistribution programme. In Bindura, for instance, out of 83 Stations, 43 are situated in new resettlement areas and the remainder are split between Bindura urban and Bindura rural.

However, by contrast, the Delimitation Commission merged Mbare East and West constituencies into one constituency. A new constituency named Manyame has been created and it is alleged that ZANU PF has got also a strong support base there and this area is also made up of “new” resettlement areas. In other urban constituencies, rural areas have been deliberately slotted in the urban constituencies so as to dilute the votes of the urban people, as it is well known the urban dwellers most likely vote for the opposition such as in Masvingo Central where areas like Shonganiso Primary School, which is only a few kilometres from Zaka, Chatikobo Primary School, Chenhowe Business Centre and Nemamwa Primary School have all been slotted into Masvingo urban constituency.

In Mutoko North it has been established that Mutoko ruins have been turned into polling station when it is well known fact that no one lives in the ruins and who will vote at this station. Quarries where few people live temporarily as workers such as Manwick Quarry in Mutoko North have also been turned into a polling station.

Some National Youth Training Centres have also been turned into polling stations. Very few members of the public will go into these centres to vote. These centres include Magamba Training Centre (Mutasa South), Mashayamombe Training Centre (Mhondoro), Kaguvi Training



Centre (Gweru Rural), Chaminuka TC (Mount Darwin) South, Mount View TC (Marondera East), Mbuya Nehanda TC (Seke) and lastly Mount Hampden TC (Manyame).

### **Use Of Public or Government Resources**

In some areas schools have been used as campaign stations and venues for the ruling party star rallies. DDF trucks were used in most areas as well as Telone trucks were used to ferry people to campaign places in Matebeleland South. Agricultural inputs, maize and mealie-meal were also being given to the electorate at these campaigns. ZUPCO buses and social welfare trucks were also used to ferry people in places like Chitungwiza at a rally at Ngaone business center.

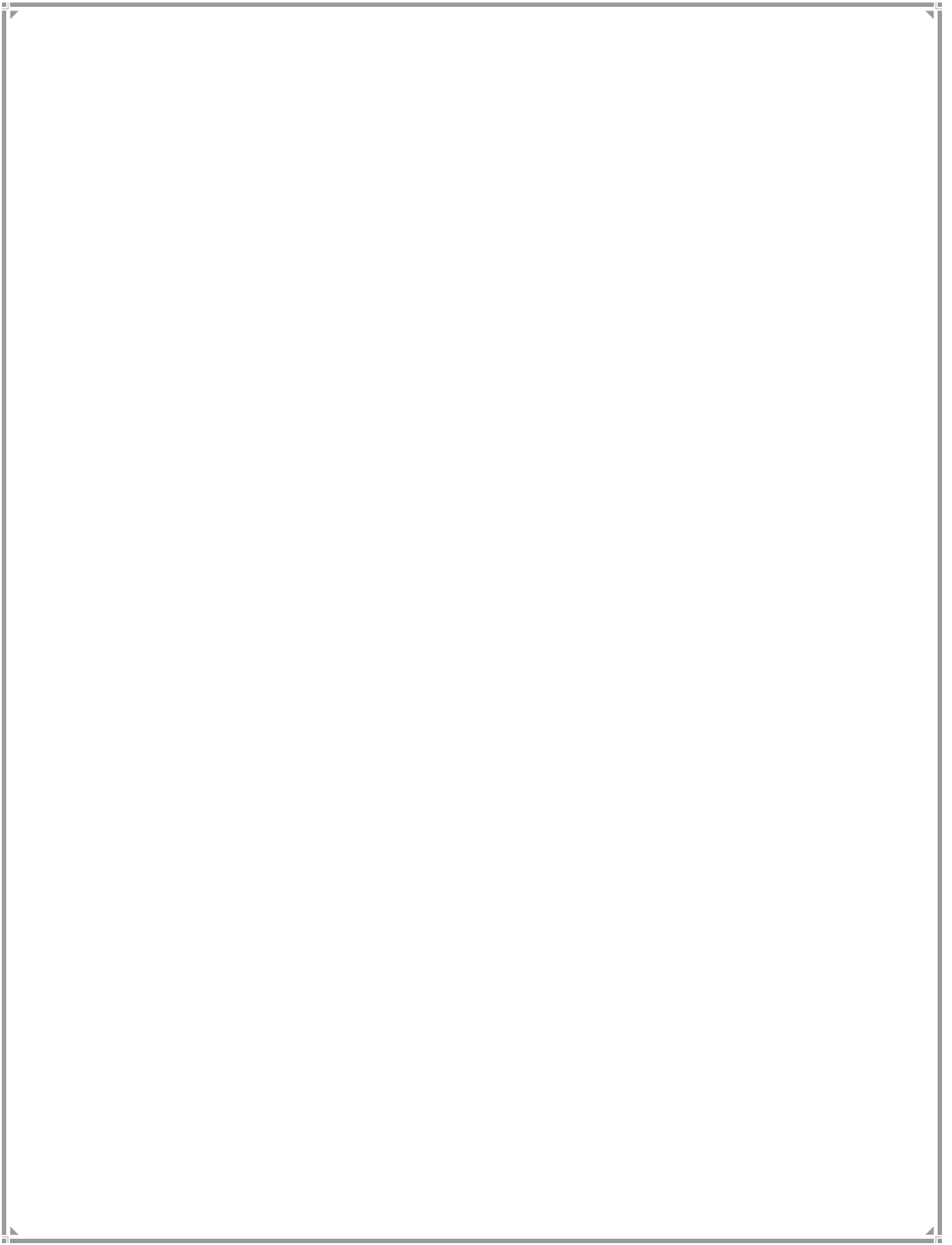
### **Vote Buying**

Timing of the distribution of computers to schools wherever the President will be holding a rally is alleged to be an attempt to influence the choice of voters. Mashonaland West province received nearly 1000 computers from the president and in other provinces an average of nearly 50 or more computers have been donated. The alleged vote buying in the form of maize and mealie-meal were given to the people or sold at lower prices during campaigns especially by ruling party candidates. The Zimbabwe Independent dated (18/03/05) reported that the food factor could have an influence on voters and the Herald dated (29/03/05), stated that government has distributed 72 000 tonnes of maize in Matebeleland. Maize from the Grain Marketing Board is also sold at lower prices and this was done in Gutu areas where a 50kg bag of maize was sold at \$40 000 per bag and food aid has been used to buy votes. Some candidates promised food aid if voted into power.

This has been a trend since campaigning started and both Matebeleland North and South have not been spared. A donation of money to schools such as at Benhura Secondary School, which was given \$1 million dollars by the ZANU PF aspiring candidate. Maize meal was sold to ruling party cardholders such as in Dangamvura, Musani area and at Ngaone business center where agricultural inputs were given to the people just to name a few.

## **Conclusion**

The Zimbabwean elections remain a “litmus test” of the SADC principles and guidelines for conducting democratic elections. There are other areas that have to be reviewed in the post election period and these include such laws as POSA, AIPPA and the NGO Bill that curtail freedom of association, expression and assembly. We commend both the ZEC and ESC for the administrative aspects handled despite being set in place late. We also commend the police, all the political parties and their supporters for the maintenance of peace and tranquility that has been prevailing in most places though there are some cases of intimidation that were reported in the public media and from the police force.





# Zimbabwe Election Support Network

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31 March 2005

## DAY 1: PRELIMINARY PRESS STATEMENT

The Zimbabwe Election Support Network, a coalition of 35 non-governmental organizations, managed to field about 6000 local observers for the historical 2005 Parliamentary elections.

These elections come against the backdrop of the SADC Principles and Guidelines for Democratic Elections of August 2004, as well intense lobbying for electoral reforms by notable civic organizations in Zimbabwe. This has seen the Government coming up with the Zimbabwe Electoral Commission Act (ZEC) and the Electoral Act. The Zimbabwe Electoral Commission Act (ZEC) establishes the Zimbabwe Electoral Commission to run the elections. This is in addition to the Electoral Supervisory Commission (ESC) and the Delimitation Commission. However this set up does not comply with the SADC Principles which stress the need for one independent electoral management body.

In addition the ZEC Act also requires local non-governmental organizations involved in voter education to get approval from ZEC. However, ZESN is happy to report that it was given the green light by ZEC to proceed with voter education. We are also not entirely happy with the way delimitation of constituencies was conducted, long before the inspection of the voters' roll.

For the first time in Zimbabwe's electoral history the Electoral Act, introduces some positive changes, amongst them voting in one day, counting in situ, the use of translucent ballot boxes, establishment of the Electoral Court, the use of visible ink and the abandonment of the mobile polling stations.

In line with the SADC Principles, there were also attempts to improve access to the public broadcaster by political parties in the run up to the 2005 Parliamentary Elections. The Government of Zimbabwe introduced the Broadcastings Services Regulations (Access to the Media) which entitled all political parties equal opportunities to freely campaign and air their views. However, these changes were introduced rather late and only applied to the electronic media.

Also, of concern to ZESN, were the prohibitive fees for access to the advertising slots during prime time for both radio and television. Further, access to the media should not be restricted to the electoral periods but should be the norm at all times.

Also, other existing pieces of legislation such as Access to Information and Protection of Privacy Act (AIPPA), Public Order and Security Act (POSA) and the Broadcasting Services Act (BSA) have curtailed citizens' rights to freedom of expression, movement, association and assembly in violation with the SADC Principles and Guidelines.

### **Polling Day**

ZESN has observers posted at 87 percent of the country's 8 265 polling stations. ZESN has, in particular tried to cover rural polling stations. By 3.15pm, ZESN supervisors had visited 1 264 polling stations and reported that the voting process nationwide had been progressing smoothly and speedily amid general peace and tranquillity. The speedy processing of voters could be attributed to the introduction of the alphabetical voting system, where there are three voting booths at individual polling stations, as well as the increase in the number of polling stations.

Although most of the polling stations opened on time at 7am, ZESN, is however, concerned that despite being accredited, sixteen of its observers were denied access to certain polling stations in Mbare, Mabvuku, Hatfield, Chivhu, Chikomba, Hwange, Masvingo Central, Gutu South, Zaka East and West, Mwenezi, Chiredzi North, Silobela, Binga and Ngezi.

While the election has generally been peaceful, there have however been reports of minor incidents of intimidation and disruptions at Lupane, Kambuzuma, Bindura, Mutare Central, Mutare North, Zvimba North, Manyame, Makonde, Magwegwe and Lobengula polling stations.

ZESN also notes with concern that an average of 25 percent of voters were turned away nationwide, the highest being recorded in Midlands and Harare. Of those turned away, a significant number were either not aware of the new constituency boundaries or were turned away for failing to produce proper identification. This could be attributed to the lack of adequate voter education on the new constituency boundaries and the importance of inspecting the voters' roll ahead of the election

ZESN also observed that most of the presiding officers were aware of their functions although there were isolated cases of some presiding officers unlawfully turning away local observers.

The run up to this election, compared to the previous elections, is generally calm with minor cases of violence and intimidation. However, despite the assurance of adequate security during the counting process, sufficient and reliable lighting, it remains to be seen what contingency measures have been put in place to ensure the transparency and security of the counting process. ZESN will follow up the process and calls upon other stakeholders, political parties and interest groups to remain vigilant until the process is completed.

ZESN commends Zimbabweans for the peaceful election and hope that this will prevail in the post-election period.

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**Dr R. Matchaba-Hove**

ZESN Chairperson

# **Zimbabwe Election Support Network**



## ***REPORT ON THE ZIMBABWE'S 2005 GENERAL ELECTION***

**Final Copy**

**APRIL 2005**

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## Acronyms

<b>AIPPA</b>	Access to Information and Protection of Privacy Act
<b>AU</b>	African Union
<b>EMBs</b>	Electoral Management Bodies
<b>EISA</b>	Electoral Institute of Southern Africa
<b>ESC</b>	Electoral Supervisory Commission
<b>EU</b>	European Union
<b>FPTP</b>	First Past the Post
<b>LOMA</b>	Law and Order Maintenance Act
<b>MDC</b>	Movement for Democratic Change
<b>NGO</b>	Non Governmental Organization
<b>PF</b>	Patriotic Front
<b>POSA</b>	Public Order and Security Act
<b>PR</b>	Proportional Representation
<b>SADC</b>	Southern African Development Community
<b>SADC ECF</b>	SADC Electoral Commissions Forum
<b>SADC PF</b>	SADC Parliamentary Forum
<b>SMD</b>	Single Member District
<b>UANC</b>	United African National Congress
<b>ZANU PF</b>	Zimbabwe African National Union Patriotic Front
<b>ZANU NDONGA</b>	Zimbabwe African National Union Ndonga
<b>ZCTU</b>	Zimbabwe Congress of Trade Unions
<b>ZEC</b>	Zimbabwe Electoral Commission
<b>ZESN</b>	Zimbabwe Electoral Support Network
<b>ZLHR</b>	Zimbabwe Lawyers for Human Rights
<b>ZIYA</b>	Zimbabwe Youth Alliance

## EXECUTIVE SUMMARY

### 1. Introduction

The Zimbabwean parliamentary elections held on 31 March 2005 were the sixth since independence. But they were no less significant than previous elections. Although the country has held parliamentary elections every five years as per its Constitution, this has not meant that elections have been free from problems and controversy. Such was the case with the 2000 elections which were mired in intimidation, violence and controversy over the legitimacy of their outcome. There were a number of new aspects that make the 2005 elections significant. They were the first to be organized by the newly set up Zimbabwe Electoral Commission (ZEC) and to be held on a single day. The elections also witnessed the use of translucent ballot boxes and of visible indelible ink. Another fresh aspect and of profound regional significance was that the elections were held within the framework of the *SADC Principles and Guidelines for Democratic Elections* formulated and agreed upon by member states at a summit in Mauritius in August 2004. As the Report will explain in more, the *Principles* lay special stress on the need for certain conditions in order to meet the criteria for *democratic elections*. These are : **freedom of assembly and association, freedom of expression, political tolerance, voter education, equal access to the media as well as the establishment of impartial, all-inclusive, competent and accountable election management bodies staffed by qualified personnel**. Finally, the 2005 election campaign itself was relatively peaceful and tranquil compared to those of 2000 and 2002.

### 2. Catalytic Role of ZESN

This Report by the Zimbabwe Election Support Network examines the key issues of the 2005 election, its conduct and outcome. It provides the political, legal and constitutional background to the election and then makes an in-depth assessment of how the electoral process unfolded from the pre-election period, campaigning to polling and the post-election period. After highlighting the salient and weak aspects of the process, the Report develops recommendations for the improvement of the electoral system and process. To that extent, the Report is *analytical, critical and constructive*.

ZESN is a network of 35 human rights and civic organizations. It has membership structures in all provinces. The principal objectives and areas of operation of ZESN are four-fold: **voter education,**

**election observation, media monitoring and information, as well as advocacy and electoral reform research.** Election observation by ZESN has included not only that of parliamentary, presidential and local government elections in Zimbabwe but also those in other countries particularly in the SADC region. In the 2005 election, ZESN deployed 260 long-term observers to observe the pre-election period. For the polling period, it deployed 6 000 accredited observers nationwide of whom 240 were mobile in different parts of the country. This Report draws on the extensive reports written by our field observers before and during election day and afterwards.

### **3. The Political and Legal Framework**

The Report begins by sketching the country's political background charting the rise of the nationalist and liberation movement, and the politics of the first two decades of independence. The *dominant party system* in which one party dominates the political landscape and especially parliament lasted between 1987 and 1999 following the merger between PF Zapu and Zanu PF. The birth of a vigorous opposition in the shape of the Movement for Democratic Change (MDC) in the late 1990s caused a sea change in the nature of *party politics* in the country. The nature of party contest sharpened and became more acrimonious following the government's 2000 referendum defeat and the tightly fought 2000 election. Chapter 1 observes how fragile the political institutions were and how the descent into coercion, lawlessness and political violence clouded the outcomes of the 2000 and 2002 elections. It is also observed that the electoral framework allows the President to appoint 30 non-constituency members of parliament of whom 10 are traditional leaders elected by an Electoral College of Chiefs. This gives an unfair advantage to the sitting President.

#### **4.1 Delimitation Process**

This Report assesses the process of demarcation that was carried out in the last quarter of 2004 in preparation for the 2005 election. It is observed that the process should have been more transparent than it was particularly in view of the scrapping of a number of constituencies in some provinces and the creation of a number of new ones in other provinces. The process inevitably drew the charge of possible gerrymandering in favour of one of the contesting parties. The stakeholders and general public should have had an input into the delimitation process so that constituencies reflect community interests. Finally, the Delimitation Commission report itself, which came out in December 2004, was not well publicized. This may explain the relatively high numbers of people (about 130 000 in six of

the provinces) who were turned away from polling stations partly because they were in the wrong constituencies.

## **4.2 Voter Registration and Inspection**

This Report observes that voter registration and inspection was a weak link in the electoral system. There was insufficient publicity about the process. Part of the explanation is that the office of the Registrar General was responsible for this process which experienced problems in previous elections. Thus the process was not supervised by an independent electoral body, ZEC, as required under the *SADC Principles and Guidelines*. ZEC became operational in February 2005 when registration was already at an advanced stage. The state of the voters' roll was questionable; access to it was late and expensive. This Report recommends the overhauling of the voters' roll and making it accessible to interested parties. There should be a constant updating of the voters' roll.

## **4.3 Voter and Civic Education**

Voter and civic education is indispensable in the preparation for democratic elections. This is especially the case in a society in which levels of literacy vary considerably between social groups, and between urban and rural areas. However, current legislation places restrictions on who may provide voter education although ZEC can permit other organizations (such as ZESN) to assist. The amount of voter education provided to potential voters was quite limited prior to the 2005 election. This limitation goes some way to explain the considerable proportion of voters turned away from polling stations, and the number of spoilt ballot papers. This Report observes that although ZEC disseminated adverts in the print and electronic media on the new arrangement of one-day voting, it did not highlight the new procedure of voting in three queues based on surnames. Nor did ZEC information emphasize where there had been changes in constituency boundaries or make constituency maps available. In future elections, there should be considerable focus and investment on voter and civic education.

## **4.4 Postal Voting and the Diaspora Vote**

The issues of postal voting and the right of Zimbabweans living in the Diaspora to vote in the election were contentious ones. Misgivings were expressed in some quarters that the postal voting had not been transparent enough. ZESN recommends that the postal voting system should be administered

in a manner that ensures accountability, transparency and secrecy of the ballot. There should be domestic and international observers present both when the opening of postal votes takes place, and when members of uniformed services vote. There need to be details with respect to the number of postal applications made and the constituencies to which these relate. Finally, there is a significant number of potential voters amongst the 2 to 3 million Zimbabweans living in the diaspora. They have a democratic right to participate in their home country's elections: the same right of postal voting that those in the uniformed services and diplomatic service possess should be extended to them.

#### **4.5 Counting, Transmission and Announcement of Results**

This Report observes that it was good to introduce the provision that votes should be counted at polling stations to enhance transparency. In terms of the Electoral Act, once counting had been completed and the results conveyed to the constituency centre, the presiding officer of a particular polling station should display the results outside the station for the public to see. This was not done in some instances. Furthermore, some observers were unnecessarily 'detained' at polling stations even after counting had been completed. Electoral authorities should look into those instances. Had ZEC provided observers with unfettered access to vote counts at polling stations, ZESN would have been in a position to help verify results and assist in resolving election-related disputes. More generally, failure to display results at some polling stations reduces transparency and accountability thus undermining the value of counting ballots in accordance with the *SADC Principles and Guidelines*. Finally, the Report assesses the issue of discrepancies in the vote totals in some constituencies leading to charges of rigging by the MDC, some organizations and sections of the press.

#### **4.6 Role of Traditional Authorities in Elections**

Traditional authorities have been playing a more active role in the electoral process in rural areas in the past few years. The 2005 election process was no exception.. This Report shows that chiefs, kraal heads and headmen were active in the registration of members of communities living under them as well as ensuring their turnout on polling day. However, there were also allegations that some traditional leaders threatened their subjects with eviction if they failed to vote for the ruling party. Their role was not non-partisan. Some of them had their homesteads designated as polling stations. Traditional authorities should not play the overtly *political and partisan* role that some of them played in this election.

## **5.1 Access to the Media and State Resources**

In previous elections, the observation has often been that access to the public media by contesting parties was inequitable. This largely remained the case during the 2005 election campaign. The state-controlled public media, both print and electronic, were clearly and consistently biased against opposition parties. Some privately owned media were also manifestly biased against the ruling party. However, the private media is a shadow of itself after the state-sanctioned closure of the mass independent daily, the *Daily News*, in 2003. The paper had provided an effective platform of alternative views in the 2000 and 2002 election campaigns.

This Report observes that even though political parties were belatedly allowed to advertise in the electronic media, this should have been extended to the print media. Although new broadcasting rules allowed access by contesting parties to radio and television, this was only a few weeks before the election date. Advertising on this media was also made very expensive. News bulletins and current affairs programmes during this period continued to demonstrate a distinct bias towards the ruling Zanu PF party. The post-election period should witness an opening up of the airwaves and the repeal of laws that create a monopoly for the state-controlled broadcaster. Finally, this Report provides examples of cases that show that access to state resources for use in campaigning remains inequitable and in favour of the incumbent party.

## **5.2 An Environment of Repressive Laws**

Although the election campaign was a generally peaceful one, the environment in which it was conducted was one in which repressive laws were extensively used. Such laws include the *Public Order and Security Act* (POSA) (Chapter 11:17), the Access to Information and Protection of Privacy Act (AIPPA) (Chapter 10:27) and the Miscellaneous Offences Act (1964) render the electoral environment hostile largely to the opposition parties. These laws are at variance with the SADC *Principles and Guidelines* that stress that member states should take measures that ensure that all citizens enjoy freedom of movement, association and expression. That the elections were conducted in a peaceful atmosphere was not *because of* but *in spite of* this repressive legislation. The legislation should be reviewed and repealed.

### **5.3 Women Candidates and the Election**

This Report observes that the participation of women, as candidates, in an election is an important part and barometer of a democratic process. Although the elevation of Joyce Mujuru to the post of Vice-President served as a role model to aspiring women politicians, the 2005 election campaign was not distinguished by a prominent role for women candidates. However, it was significant that Zanu PF reached a decision to raise the proportion of its women election candidates to 30 per cent reminiscent of the SADC target for women by 2005. In the MDC, preference was given to sitting women members of parliament. Although 58 women candidates from different parties contested in the election, 20 won well below the minimum SADC target of 30 per cent. A great more therefore needs to be done to raise the representation of women to meet this target.

### **5.4 Integration of Election Management Bodies**

There remains more than one election management body in the country despite the establishment of ZEC. There was bound to be an overlap in functions and authority between ZEC, ESC, Registrar-General of Voters and the Delimitation Commission. The existence of this multiplicity of electoral bodies is contrary to the *SADC Principles and Guidelines*. The case for the integration of these bodies into one that is impartial, independent, all inclusive, competent and accountable remains as strong as ever. The present ZEC should serve as a nucleus of such a body. The post-election period should provide opportunities for reflection and planning for this eventuality.

### **5. 5 Dialogue and Political Culture**

This Report concludes by observing that the adversarial nature of Zimbabwean party politics should be superseded by inter-party dialogue. The election campaign demonstrated that it is possible to build and sustain an atmosphere and conditions of tolerance and peace. This experience should not be frittered now that the election is over. The experience provides an opportunity for sustained dialogue between on a range of issues. These include constitutional reform, the possible introduction of a Senate, the repeal of draconian legislation and a transformation from an authoritarian political culture that is at variance with the broad trend of *democratization* in the SADC region. This Executive Summary has not been exhaustive. The Report goes into detail about other aspects such as party primaries, party manifestos, the role and findings of international observers as well as on post-

election developments. It concludes with a set of recommendations for consideration and action by the stakeholders.



# Chapter 1

## POLITICAL AND HISTORICAL BACKGROUND

### 1.1 Political and Historical Background

Celebrating its Silver Jubilee this year as an independent state, Zimbabwe has been governed under a *majority rule* (or 'one person, one vote') system since 1980. Prior to this, the country was under white settler rule for 90 years, a period during which the black majority was disenfranchised. Like in other African countries, a nationalist movement emerged in the 1950s to spearhead the struggle for Independence. However, the struggle was subsequently transformed into an armed liberation struggle (or *Second Chimurenga*) that was waged in the 1960s and 1970s. This struggle for liberation was largely prosecuted by the wings of the nationalist movement. These were namely ZANU and ZAPU which came together to form the Patriotic Front (PF) in 1976.

In the first Independence election held in March 1980, most of the seats were won by Zanu PF (with 57) followed by PF Zapu (with 20) while a paltry 3 went to the United African National Council (UANC). The election was contested under the Proportional Representation (PR) system unlike the subsequent ones. Until 1987, there were 20 seats specially reserved for whites in the 100-member Parliament. Until 1990, there was a second Upper Chamber, the Senate.

Although a government of national unity was sewn together in 1980 drawing on the main parties in Parliament, it soon came under tremendous strain in 1982. This was due to the eruption of a civil conflict in the Matabeleland and Midlands provinces. It collapsed with the exit of PF Zapu ministers from government. Until 1987, the conflict persisted resulting in considerable casualties leaving behind a legacy of bitterness and alienation. However, a Unity Accord between Zanu PF and PF Zapu in 1987 paved the way to a merger between the two parties and an effective end to the conflict in the above-mentioned provinces.

Significantly, the elections conducted in 1985, 1990, 1995, 2000 and the more recent ones of 2005 were held on a single-member-district (SMD) constituency basis or "winner takes all" system. Another significant development was the replacement of the ceremonial presidency with an Executive Presidency in 1987.

It is useful to recall that in the late 1980s, a major political debate in the country revolved around the one-party state concept. It was a concept strenuously resisted by opposition parties notably by the Zimbabwe Unity Movement (ZUM) and by civil society organizations such as the Zimbabwe Congress of Trade Unions (ZCTU). The campaign against the concept succeeded in pre-empting an intention to introduce legislation for a *de jure* one-party state. However, this did not necessarily prevent the establishment of a *de facto* state between 1990 and 2000. Following the merger of Zanu-PF and PF-Zapu, the unified party easily dominated in the elections conducted in 1990 and 1995. The new Zanu PF obtained 117 and 118 out of the directly elected 120 seats in 1990 and 1995 respectively.

In this context of little political competition, there was a notable decline in the proportion of voters who participated in elections. From an estimated turnout of 94 per cent in 1980, the proportion declined steadily to 84 per cent in 1985 and 47 per cent in 1990. The marginal increase to 57 per cent in 1995 is reckoned to be deceptive because it was calculated from a very low base of registered voters; only about 43 per cent of potential voters had bothered to register (ZHDR, 2000).

However, with the resurgence of more competitive party politics in 1999, there was an increase in voter turnout in the 2000 election in quantitative terms. Out of 5,04 million registered voters, about 2,5 million voted in the election. There is a sense in which the 2000 election marked a watershed in voter turnout trends. The stiff competition between the two main parties, Zanu PF and MDC, went some way to revive interest in political participation through voting. In the 2005 election, voter turnout at about 2,7 million was 10 per cent higher than in the 2000 election (Herald, 4 April 2005).

Although it was not an election, a referendum organized in February 2000 on a government-sponsored draft constitution had resulted in an unprecedented defeat of the ruling Zanu PF party. This setback would, however, later galvanize the ruling party to re-organize itself and restructure the state in both conventional and unconventional ways in order to strengthen its grip on power. More generally, the 2000 election also marked a watershed in that the *de facto one-party state* situation was effectively undermined with a significant opposition win of 58 out of 120 directly elected seats. The MDC won 57 while Zanu Ndonga obtained 1. The election outcome demonstrated the very close contest between the MDC and Zanu PF. However, a distinguishing feature of the 2000 general election campaign was widespread violence, coercion and intimidation. About 30 people, mostly

opposition supporters, were killed while thousands were injured during the campaign. Similarly, the 2002 presidential election witnessed the use of political violence and intimidation as campaign tools. This stained the legitimacy of both the 2000 and 2002 elections leading, amongst other things, to strained relations with such organizations as the Commonwealth and the European Union (EU), and with individual countries like Britain and the United States.

## **1. 2 The Regional and International Context**

The 2005 election was conducted against the background of differences in tone in relations between Zimbabwe and the West on the one hand, and between it and the African region on the other. Following the critical Observer reports compiled by their teams on the 2000 and 2002 elections, the Zimbabwe Government responded defensively at first and then robustly later towards the EU, Commonwealth and other Western organizations. Relations with the British Government were so poor that it was proscribed from sending observers both to the 2000 and 2002 elections. Owing to friction between the two sides, the EU observer team leader was deported in the run up to the 2002 election. The Commonwealth Observer team's report on the 2002 election was bitterly criticized by the Zimbabwe Government. Zimbabwe reacted robustly to its subsequent suspension from that organization. The nadir in the relations between the EU and Zimbabwe was the imposition of 'smart sanctions' against the leading members of the latter's political and business elite in 2002. The breaking point in its relations with the Commonwealth was Zimbabwe's abrupt withdrawal from the organization in December 2003.

In contrast, Zimbabwe's relations with countries that are members of the African Union and of SADC have been reasonably cordial. Most election observer teams from the African region were invited to the 2000, 2002 and 2005 elections. Most observation reports from organizations and by country teams from the region have been uncritical on how the elections were conducted. Where there has been criticism made, it has been generally mild. There have been some exceptions, and this would go some way to explain why certain organizations, such as the SADC Parliamentary Forum were not invited to observe the 2005 election.

Clearly, the Zimbabwean elections held from 2000 to 2005 have been conducted in an atmosphere of what has broadly been termed as 'a crisis situation'. There have been anxieties that the crisis would have a contagion effect on the region in political, economic and social terms. The crisis has been

dissected and widely reported upon by the international media sometimes in less than illuminating ways thereby dampening confidence in Zimbabwe and the region. This is the context in which SADC formulated its *Principles and Guidelines for Democratic Elections* to provide a framework for member states to conduct their elections. These were agreed upon at a summit in Mauritius in August 2004. The Zimbabwe Government was a signatory to the *Principles and Guidelines* and this introduced a new element in how the 2005 elections would be conducted and judged. As it was observed elsewhere, a SADC route to electoral legitimacy was perhaps the least painful and risky, in the circumstances, for the Zimbabwe Government (Sachikonye, 2005). It was scarcely surprising that the SADC Observer Mission to the 2005 election was the largest and most prestigious of its kind.

## **CHAPTER 2**

### **THE LEGAL AND CONSTITUTIONAL FRAMEWORK**

#### **2.1 THE CONSTITUTIONAL FRAMEWORK**

The Constitution, the Electoral Act (2004) and the Zimbabwe Electoral Commission (ZEC) Act (2004) provide the framework for elections in Zimbabwe. Parliamentary and Presidential elections are held every five years and six years respectively. According to section 38 of the Constitution, Parliament consists of 150 members. Of these members, 120 are directly elected while a different formula is used in the appointment of the remaining 30 members. The 30 seats are appointed as follows: 12 directly by the President, 8 on basis of having been appointed provincial governors by the President and 10 are reserved for Chiefs whose appointment requires presidential approval. Thus presidential appointments to the legislature account for 20 per cent of members of parliament.

#### **2.2 THE ELECTORAL FRAMEWORK**

Zimbabwe practices the 'first past the post' (FPTP) electoral system. Inherited from the Westminster-type plurality or single-member district (SMD) system, the candidate with the highest number of votes wins. However, the winner may be elected on the basis of less than 51 per cent of voters in a constituency.

The principal institutions of the electoral system are the Delimitation Commission, the Electoral Supervisory Commission and the Zimbabwe Electoral Commission. Until 2004, other key institutions were the Registrar-General of Elections and the Election Directorate. The appointment of the Zimbabwe Electoral Commission in January 2005 paved the way for it to carry responsibility for tasks previously carried out by the Registrar-General and the Election Directorate. However, there still remains an overlap between the functions of ZEC and the ESC.

##### **2.2.1 THE DELIMITATION COMMISSION**

Set up in terms of section 60 (2) of the Constitution, the Delimitation Commission has the responsibility of determining the limits of the constituencies in Zimbabwe. In doing so, it takes into account the number of registered voters and their geographical distribution, physical features and

means of communication. The Commission is thus responsible for the division of the country into 120 constituencies. These constituencies should have 'as nearly as may be equal' number of voters in each constituency.

The chair of the Delimitation Commission should be a member of the Supreme or High Court and appointed after consultations between the President and the Judiciary Services Commission. The Commission is normally appointed every five years prior to a general election. To prepare the demarcation of constituencies to be contested in the 2005 election, a Delimitation Commission was appointed on 14 September 2004. Chaired by Justice George Chiweshe, a High Court judge, the Commission consisted of three other members namely **Maclean Bhala, Charles Mukora and Job Whabira.**

In its report completed in December 2004, the Commission recommended a reduction of the number of constituencies by one each in Harare, Bulawayo and Matabeleland South, and an increase by one each in Mashonaland East and Manicaland. The former are electoral strongholds of the opposition MDC and the criticism has been raised that the Commission's findings suggest gerrymandering. The criticism has been raised against the background of an increase in the voting population in metropolitan Harare. Furthermore, there has been concern that the Delimitation Commission completed its report in December 2004 well before the final voters' roll had been compiled. Finally, due to the subsequent appointment of Judge Chiweshe as the Chair of the Zimbabwe Electoral Commission (ZEC) in February 2005, it became complicated to have issues concerning demarcation dealt with or reviewed by ZEC.

### **2.2.2 ZIMBABWE ELECTORAL COMMISSION**

Established in terms of Section 3 of the ZEC Act, ZEC consists of a Chair and four other Commissioners. The President appoints the Chair after consultation with the Judicial Services while the four other Commissioners are also appointed by the President from a list of seven nominees submitted by the *Parliamentary Committee on Standing Rules and Orders*. The ZEC Act requires that two of the Commissioners should be women. Appointed on 7 February 2005, ZEC comprises the following members:

- **Judge George Chiweshe**      - **Chair**

- **Mrs. Sarah Kachingwe** - **Commissioner**
- **Mrs. Vivian Ncube** - **Commissioner**
- **Prof. George Kahari** - **Commissioner**
- **Rev. Jonathan Siyachitema** - **Commissioner.**

*The functions of ZEC are wide ranging. They are:*

- to prepare and conduct elections,
- to direct and control the registration of voters by the Registrar-General of Voters,
- to compile the voters' roll,
- to ensure the proper custody and maintenance of voters' roll and registers,
- to design, print and distribute ballot papers, approve form and procurement of ballot boxes and to establish polling stations and
- to conduct voter education.

In view of these wide-ranging functions, it is surprising that the Commission was appointed less than two months before the March 31 election. There was inevitably widespread concern whether the Commission would ensure the effectiveness and transparency of the functions and mechanisms that it inherited from the former electoral bodies. In particular, concern was raised in relation to the state of the voters' roll. There were allegations such as that the voters' roll contained 'ghost voters'!

Although there is provision for a Registrar of Voters that is formally subject to the control of ZEC, this office is actually part of the Public Service. There have been concerns raised that the Registrar of Votes is located in the same department with the Registrar-General, who currently does not inspire much confidence and trust.

### **2.2.3 THE ELECTORAL SUPERVISORY COMMISSION**

The Electoral Supervisory Commission (ESC) was established in terms of Section 61 of the Constitution, and consists of a Chairperson and four other Commissioners. The President appoints the Chair and two of the Commissioners in consultation with the Judicial Services Commission, and the remaining two in consultation with the Speaker of Parliament.

It was observed above that there appears to be overlap between the mandates of the ESC and ZEC. For instance, the functions of the ESC are defined in the Constitution as:

- to supervise the registration of voters and conduct of parliamentary and presidential elections,
- to supervise the registration of voters and the conduct of elections of the governing body of any local authority,
- to consider proposed bills or proposed statutory instruments relating to the registration of voters or to elections stated above,
- to establish and chair an Observers' Accreditation Committee for accrediting observers to observe elections,
- to invite persons representing bodies in the SADC region that exercise similar functions to observe Zimbabwean elections and
- to write and submit a report to the President or Minister of Justice, Legal and Parliamentary Affairs as the case may be soon after an election.

The ESC undertakes functions that, in other SADC countries, are normally undertaken by an independent electoral Commission of the status of ZEC. It remains a conundrum why the ESC and ZEC should co-exist with overlapping functions. There have been concerns expressed about the seconding of members of the military to the secretariat of the ESC. Currently, the members of the ESC are:

- |                               |   |                     |
|-------------------------------|---|---------------------|
| ▪ <b>Mr. Theophilus Gambe</b> | - | <b>Chair</b>        |
| ▪ <b>Joyce Kazembe</b>        | - | <b>Commissioner</b> |
| ▪ <b>Erica Ndewere-Mususa</b> | - | <b>Commissioner</b> |
| ▪ <b>Mr. Tendayi Mberi</b>    | - | <b>Commissioner</b> |
| ▪                             |   |                     |

## **2.2.5 THE WIDER FRAMEWORK OF THE 2005 ELECTIONS**

In assessing the 2005 elections, the wider regulatory framework should be taken because it conditioned the environment of the campaign. Several laws inhibited freedoms of assembly, association and expression in the run up to the election. These include the *Public Order and Security Act* (POSA) of 2002, the *Access to Information and Protection of Privacy Act* (AIPPA) of 2002 and the *Citizenship of Zimbabwe Amendment Act* of 2001.



Modeled along the lines of the *Law and Order Maintenance Act* (LOMA) of 1960, POSA made it an offence to criticize the President. It also gave considerable powers to the Police over the regulation of public meetings and demonstrations. POSA requires any organizer of a meeting or rally to give at least four days of written notice of the gathering to the Police. In the 2002 election, the police were given the power to prohibit public meetings and demonstrations if they thought that these would cause public disorder (ZESN, 2002). They dispersed whatever meetings and demonstrations that they considered illegal. Furthermore, POSA contains a provision that makes it an offence for anyone inside or outside Zimbabwe to publish or communicate a statement that may lead to 'inciting or promoting public disorder or public violence or endangering public safety'. Opposition parties have complained about the sweeping powers that POSA awards the police as well as the partisan implementation of its provisions.

Another piece of legislation that had a bearing on the political environment in which the 2005 election campaign is the *Access to Information and Protection of Privacy Act* (AIPPA). Under the Act, all media professionals require permission to operate from a commission set up by the government, introduces a regime of licensing journalists and bars foreign journalists from being permanently based in the country. Since the introduction of AIPPA in 2002, four newspapers have been denied permission to continue publishing. These were the *Daily News*, *Daily News on Sunday*, *the Tribune* and *the Weekly Times*. These newspapers shared one characteristic: they were critical towards the present government. Their closure undoubtedly undermined press freedom and expression of diverse opinion in society. Opposition parties and civil society groups were affected by this closure of space and forum for expression of their views and experiences. To that extent, the reporting on the 2005 election campaign was compromised by the near-monopoly of the state-controlled media (especially the daily press) and full monopoly of electronic media.

Although it had not been signed into law by the President by election time, the *Non-Governmental Organizations Bill* contains provisions that seek to curb the activities of NGOs that are engaged in governance and human rights issues. There persisted to be anxieties amongst some NGOs that they might be de-registered in the run-up to, or just after, the elections. There remain concerns that the impending law will be draconian and inconsistent with political and electoral reform in the country. The NGO legislation would infringe the SADC *Principles and Guidelines on Democratic Elections*.

On a positive note, the SADC *Principles and Guidelines* introduced a new element into the Zimbabwe election process. This element included a new framework as epitomized by novel innovations such as voting on one day, translucent ballot boxes, the establishment of the Electoral Court, counting of votes at polling stations and indelible ink. Equally, the rights and responsibilities of host states and observer teams were also spelt out. In sum, the *Principles and Guidelines* recommend:

- impartial, all-inclusive, competent and accountable electoral bodies to be appointed and staffed by qualified personnel,
- that there should be voter education,
- that SADC should be invited to send a mission at least 90 days before polling,
- that all political parties should have equal access to state media and allowed freedom of campaigning,
- that there should be no discrimination in voter registration and the voters rolls should be updated and accessible,
- and that polling stations should be sited in neutral places and measures taken to prevent fraud, and
- that contesting political parties should accept election results that have been declared “free and fair” (SADC, 2004).

These provisions and expectations made up the framework that the Zimbabwe Government was expected to use as a basis for its electoral reform and conduct of the 2005 election. There were clearly shortfalls in both areas of reform and conduct, as this Report will show. The debate will continue on the significance of these shortfalls for the overall outcome of the 2005 election.

Finally, an important aspect of the legal and political framework of the elections is that of the funding of political parties. The requirement for a party to secure state funding was originally set at a minimum of 15 seats in parliament. Following a Supreme Court ruling in 1998, this was lowered to a minimum of 5 per cent of the total valid votes in an election contest. Both the ruling Zanu-PF and opposition MDC have been the principal beneficiaries from this formula on party funding. At the beginning of 2005, some Z\$ 6,5 billion dollars were shared between the two parties taking into Zanu-PF'S 62 seats and the MDC' 57 seats. Zanu PF was given Z\$3,38 billion dollars and MDC Z\$3,12 billion dollars.

## **CHAPTER 3**

### **3. THE PRE-ELECTION PERIOD**

This chapter assesses developments during the pre-election period and their effect on the conduct of the poll on March 31. It examines the processes of voter registration and inspection, voter education as well as the processes of delimitation and nomination.

#### **3.1 VOTER REGISTRATION AND INSPECTION**

The body responsible for voter registration is ZEC. It 'directs and controls' the registration of voters by the Registrar of Voters, as we saw in chapter 2. In practical terms, the exercise is carried out by a government department headed by a Registrar-General.

In previous elections, the process of voter registration has run into problems. These have included lack of updating and little publicity of the exercise (as in the 1985 and 1990 elections) and late availability and inspection of the voters' rolls (as in the 1995 election) (ESC, 1990). During the 2000 election, several other problems were pointed out by observers. These included incidences of inclusion of deceased persons, mis-spelt names, voters slotted into incorrect constituencies and persons from the same household allocated to different constituencies (EISA, 2000). This resulted in the disenfranchisement of potential voters.

Similar problems surfaced during the voter registration process prior to the 2005 election. First, there was limited publicity of the registration exercise. Second, access to copies of the voters' rolls was very difficult because they were prohibitively expensive. A copy for a constituency voters' roll cost Z\$2 million dollars, and thus Z\$ 240 million dollars for the 120 constituencies. Although the Registrar-General keeps voters' rolls in electronic form, the office has refused to provide an electronic copy when asked to do so. Third, ZEC did not supervise voter registration because it came into office after the process had been completed. Fourth, there were allegations that voter registration was still on-going even after the cut-off date of 4 February 2005 for inspection deadline.

Like voter registration, inspection of the voters' rolls also encountered problems such as little publicity. It was observed, for example, that although inspection of the rolls was extended by nearly a

week, some sections of the population were unaware about it especially in rural areas (ZESN, 2005). Some reports referred to audits of the voters' rolls that showed "ghost names".

### **3.2 VOTER EDUCATION**

Voter education and information are a cornerstone of democratic elections. They are essential for empowering the electorate to vote knowledgeably (ZESN, 2002). Key aspects of voter and civic education should include basic information on the following:

- how and where to register as a voter,
- how to make a complaint about the voters' roll,
- constituency boundaries,
- where and how to vote,
- secrecy of the ballot,
- the purpose of an election and who is standing for it,
- and amendments to electoral laws and procedures (Ibid.).

There was a late start to providing voter education and information in the 2005 election campaign. Although there was an on-going voter education programme by the ESC, it had only a limited reach. Because of its late appointment (less than 2 months before the election), ZEC started its own voter education only in March. Although ZEC disseminated adverts in the print and electronic media on the new arrangement of one-day voting, it did not highlight the new procedure of voting in 3 lines based on surnames. The ZEC information did not emphasize where there had been changes in constituency boundaries or make constituency maps available.

Finally, unlike in previous general elections, the role of non-state actors especially NGOs in voter and civic education was more restricted. Section 12 of the ZEC Act stipulates that no foreign contribution or donation for voter education shall be made except to ZEC which may allocate such contribution or donation to any person. Furthermore the NGO Bill though not signed into law also ban foreign funding to human rights and governance work. This provision of the Act affected civil society organizations (CSOs) that ran voter education programmes drawing on external funding. ZESN sought and was granted by telephone approval (as stipulated in the ZEC Act) to continue providing voter education thereby complementing ZEC's role in this sphere.

### 3.3 THE DELIMITATION COMMISSION REPORT

The composition and functions of the Delimitation Commission were spelt out in chapter 2. Here we make some observations about its Report that was published in December 2004. The stiff price of Z\$350,000 per copy made the Report inaccessible to most voters. It was also observed that the Report was not readily available in areas directly affected by boundary changes (ZHRLR, 2005). Of concern was that the map outlining the boundaries of constituencies was unavailable, even in Harare. Due to this situation, voters were unlikely to be aware of changes in demarcation; this may have prevented them knowing where to cast their vote, and hence the increase in the numbers of potential voters turned away. Unfortunately, the Constitution and the *Electoral Act* seem silent on how long before an election new constituency boundaries should be made known. This left too much discretionary power to the authorities.

As we observed in chapter 2, the Delimitation Commission recommended that Harare, Bulawayo and Matabeleland South should lose a constituency each while Mashonaland East, Mashonaland West and Manicaland gained one each. The list of provinces and number of constituencies and registered voters are shown in Table 3.1. Opposition parties and sections of the media have questioned the rationale of the demarcation process. Major issues raised were that delimitation was not based on census results, did not consult the public. In addition there was no regard to issues of community of interest for example in Harare South where there is a mixture of rural and urban communities. They argued that what occurred was gerrymandering to improve the electoral fortunes of the ruling Zanu PF party.

**TABLE 3.1: Provinces, Constituencies and Registered Voters**

Province	No. of Registered Voters		No. of Constituencies	
	2000	2005	2000	2005
Bulawayo	357 281	339 990	8	7
Harare	799 452	832 571	19	18
Manicaland	576 404	686 767	14	15
Mashonaland Central	418 277	490 181	10	10
Mashonaland East	506 817	610 715	12	13
Mashonaland West	502 964	593 354	12	13
Masvingo	593 778	675 234	14	14
Matabeleland North	317 405	342 745	7	7
Matabeleland South	319 015	341 258	8	7
Midlands	658 422	745 822	16	16
<b>TOTAL</b>	<b>5 049 815</b>	<b>5 658 637</b>	<b>120</b>	<b>120</b>

*Source: Delimitation Commission, 2000, 2004*

### 3.4 THE NOMINATION COURT

Parliamentary candidates must complete nomination papers to be signed by themselves or their election agents and no fewer than ten persons who are registered on the voters' roll of the constituency being contested. The forms can include a symbol for the candidate if they are standing as independents. However, in case of party candidates, the forms should include the name and the abbreviated name of the sponsoring party, as well as a counter-signature of an authorized official of that party (EISA, 2000). The nomination papers must be submitted to the nomination court by 4 pm on the nomination day together with the prescribed deposit. The deposit is forfeited if the losing candidate wins less than a fifth of the votes obtained by the winning candidate.

Candidates in the 2005 election filed their papers on 18 February 2005 in the various provincial centers where a nomination court sat. Generally, the nomination process went smoothly without any incidents of intimidation and violence. Although the Minister of Justice, Legal and Parliamentary Affairs initially stated that long birth certificates were one of the requirements for those intending to file nomination papers, this was later reversed by ZEC. This followed an outcry from political parties this may have been deliberately aimed at disqualifying some aspiring candidates.

There were a number of highlights in the nomination process. Both Zanu PF and MDC each fielded candidates in all the 120 constituencies. The other parties whose candidates were successfully nominated to contest in the election were Zanu Ndonga with 9 candidates and the Zimbabwe Youth Alliance with 2 candidates. Interestingly, the number of Independents was significant at 17. The Independent candidates were mostly drawn from both Zanu PF and MDC politicians who had lost during party primary elections. Although some of the Independents pulled out of the race at the last minute, they included figures such as Jonathan Moyo from Zanu PF and Silas Mangono from the MDC, but also others such as Margaret Dongo in Harare. Part of the reason of the low number of candidates fielded by parties was the hefty deposit of Z\$2 million required for nomination, and the relatively high cost of campaign expenses.

There were several interesting, if not controversial, highlights in the nomination process. First the nomination papers of Roy Bennet, the MDC MP for Chimanimani, who was jailed in 2004 for assaulting Minister Patrick Chinamasa in Parliament, had his nomination papers rejected. As a further twist, his wife, Heather Bennet presented nomination papers as an MDC candidate for the constituency. An appeal to the Electoral Court by Roy Bennet was accepted by Justice Uchena who then decided to postpone the election in Chimanimani to a date in April. However, this was subsequently over-ruled after comments by President Mugabe which were critical of the Uchena judgement. Heather Bennet went on to contest against Samuel Undenge in Chimanimani. Another highlight was the filing for nomination as an Independent by Jonathan Moyo in the Tsholotsho constituency. This followed Zanu PF's decision to endorse Musa Ncube instead of Moyo following a fall-out over a power struggle for the post of Vice-President. Jonathan Moyo was immediately sacked from his position as Minister for Information and Publicity in the Office of the President. Similarly, three members of the MDC who lost in party primaries and went on to file nomination papers were expelled from the party. Finally, a candidate of Zanu Ndonga, Gideon Dhliwayo was disqualified in standing because he was unable to raise the nomination fee of Z\$2 million.

### **3.5 THE PREPAREDNESS OF ELECTORAL INSTITUTIONS**

How well prepared were the various election management bodies (EMBs) for the election? As a newly-established body, ZEC relied extensively on existing structures for the preparations. On 1 March 2005, ZEC formed a National Elections Logistics Committee which was basically a re-

incarnation of the former Election Directorate. Like the Directorate, the Committee largely drew from public service structures and personnel for the running of the election. Other activities that ZEC performed during this period were voter education (from about two weeks before the election itself), and the training of polling officers who were then deployed on 28 March 2005. While the accreditation of both local international observers was conducted by the ESC, the briefings to them were carried out by ZEC on 23 and 29 March.

### **3.6 OBSERVERS AND MONITORS**

There is a growing realization that the presence of observers (local, regional and international) generates confidence in the electoral process and international standing of the country (SADC, 2004). Election observers should be accepted as part of the process to institutionalize democracy, and as a mechanism to persuade governments to adhere to the ingredients of free and fair elections. According to the *Electoral Act*, the role of an observer is to observe the conduct of polling in an election, to be present at the counting or collating of the votes cast, and to bring any irregularity in the conduct of poll or vote counting to the attention of the monitor on duty or the ESC.

The role of the monitor is to monitor the conduct of polling and counting of votes, and to bring any irregularity to the attention of the presiding officer.

There were an estimated 500 regional and international observers during the 2005 election. Most of them arrived in the country in the last two weeks of the campaign. The largest observer teams were from SADC, the South African Government and Parliament; other teams were from the African Union (AU) and teams sent by governments such as Malawi, Botswana and Iran. Countries with diplomatic missions in Harare were allowed to accredit contingents of their staff as observers as was the case with the United States and most EU countries. However, it was significant that regional bodies such as SADC Parliamentary Forum and the Electoral Institute for Southern Africa (EISA) were not allowed to come as independent entities to observe the election. Similarly, the Commonwealth and the European Union were barred from sending observers. Amongst local observers, it was notable that the Zimbabwe Congress of Trade Unions was not accredited to undertake observation.

The largest contingent of local observers was that fielded by ZESN. It deployed 260 long-term observers to cover the pre-election period and 6000 observers nation-wide during the election. Out of



these, 240 were mobile and managed to cover most of the country. In total, there were an estimated 8 000 local observers. However, the costs for accreditation fees were too exorbitant and there was need to have decentralized accreditation centres to provincial or even to constituency level.

## CHAPTER 4

### THE ELECTION CAMPAIGN

#### 4.1 GENERAL CONTEXT

The 2005 election campaign was different in atmosphere and tone from previous elections especially those of 2000 and 2002. There was significant change from the intimidation, coercion and political violence that characterized those elections. By and large, it was peaceful with a surprising level of political tolerance. A major contributing factor to the atmosphere of peace and tolerance were the early and consistent calls for “zero tolerance” on violence from the President, political party leaders, police and security chiefs as well as from the contesting candidates themselves. The call for peaceful campaigning was also picked up and disseminated by the media.

While a few incidents of inter-party and intra-party clashes occurred nevertheless, these were on a limited and sporadic scale. No politically motivated killing was reported during the campaign. This may be compared with about 30 in 2000 and 54 in 2002 (ZESN, 2002). The calm atmosphere has encouraged the official media to extol what it termed “political maturity” amongst Zimbabweans. However, as we will observe in chapter 5, some of the old problems relating to transparency and credibility of electoral administration would re-surface at the counting stage and announcement of results.

The election campaign began in earnest at the beginning of February following the announcement of the poll date by the President. Prior to this, there had been some uncertainty over the MDC would participate or not. It had suspended participation in by-elections from August 2004 pending the Zimbabwe Government’s compliance with the SADC *Principles and Guidelines*. It is arguable whether the decision to suspend participation in elections achieved the party’s aims. In the end, it made a turn-around on 3 February to participate “with a heavy heart”. Thus although the campaign would be largely violence-free, the levels of mistrust and suspicion between parties did not diminish. Some parties continued to view the electoral “playing field” as still “not level”.

## 4.2 POLITICAL PARTIES AND THEIR PROGRAMMES

The parties that contested in the election were Zanu PF, MDC, Zanu Ndonga and the Zimbabwe Youth Alliance (ZIYA). However, the latter two parties are small and fielded only 11 candidates between them. The significant parties remain the ruling Zanu PF and MDC in a clearly competitive two-party system. What did the parties offer voters in the 2005 election? We will focus on the manifestos of the main contestants; Zanu Ndonga and ZIYA did not appear to have published theirs widely.

Zanu PF stated that it offered voters its 'tried and tested leadership' for another five years during which it would consolidate 'the new direction that Zimbabwe has charted for itself' (Zanu PF, 2005). It was a direction guaranteeing "that Zimbabwe shall never be a colony again". The party pledged to assert sovereignty over "national resources", to stabilize the exchange rate and raise the GDP growth rate to between 3 and 5 per cent per annum. Furthermore, it would adopt programmes to increase investment, manufacturing and mining output while implementing a "look East policy" to diversify markets. Other promises made by Zanu PF were that it would build 1,25 million houses by 2008, revamp the health sector and increase funding for the HIV-AIDS programme; and revamp educational infrastructure while expanding university education. Finally, the party pledged to embark on a 'comprehensive agricultural irrigation and mechanization programme', provide finance and credit schemes 'to capitalize' farmers' operations as well as long-term strategies to mitigate the effects of drought.

For its part, the MDC 'promised' to build 'a new Zimbabwe' that would have "liberty, freedom, prosperity, job opportunities, justice, safety and a living wage' (MDC, 2005). With respect to the economy, the party pledged to restore macro-economic stability and to reduce inflation to single digits. It would also increase investment especially in mining and manufacturing and stabilize the foreign exchange market. The latter would partly be pursued through engaging the international community, and negotiating for debt relief and rescheduling. Furthermore, the party 'promised' to build 750 000 houses within five years. On the health front, the MDC would allocate 15 per cent of the budget to the sector while increasing funding to combat HIV-AIDS. The party would introduce "free primary education for all" and protect "the rights of private schools". Finally, it would ensure the "recovery of the agricultural sector", and achieve food security within 100 days of coming into power.

In its land reform programme, the MDC would promote security of tenure through granting “title to land users” as well as provide inputs, technical, extension and financial support schemes to farmers.

#### **4.3 PARTY PRIMARIES**

The holding of primary elections by the main contesting parties was a key feature of the build-up to the campaign. Most of the primaries (in Zanu PF) were organized in January 2005 although there were instances in which they were held earlier (in the MDC for instance). When they are properly held, primary elections represent a barometer on the state of intra-party democracy. How did the parties conduct their primaries?

Some of the primary elections in Zanu PF turned out to be acrimonious. This was the case in Manicaland, Masvingo, Matabeleland North and Matabeleland South. In Manicaland, the primaries were so acrimonious that the senior party stalwarts, Didymus Mutasa and Kumbirai Kangai, were exempted from the primary elections because of sharp differences between the factions that they headed. In December 2004, a Zanu PF team was dispatched to Masvingo to resolve tensions between the provincial party leadership and war veterans. The party leadership was accused of corruption by the latter. In Matabeleland, there was tension and much jostling over the Tsholotsho seat. Jonathan Moyo rejected the primary election result that recommended that the seat be contested by a woman candidate to meet Zanu PF’s 30 per cent threshold. In other provinces, there were some allegations made of vote buying by candidates in primaries, and in others that candidates were being “imposed from the top”. At the beginning of January, as the tension in primaries reached a fever pitch, even President Mugabe himself had to intervene to cool tempers that the party Commissar, Eliot Manyika was being overwhelmed with!

The MDC had its own share of problems and tensions during the primaries. Intra-party squabbles marked the jockeying for candidature in such constituencies as Masvingo Central, St. Mary’s in Chitungwiza and Mbare West in Harare. In Masvingo Central, there were clashes between the outgoing MP, Silas Mangono who lost to the incoming Tongai Mathuthu. There was a press report that the bodyguards of MDC President, Morgan Tsvangirai, intervened in the clashes between the two groups of supporters. In Mbare West, the outgoing MP, Danmore Makuwaza, accused the MDC Secretary-General, Gift Chimanihire for abusing his position as one of the “top six” leaders of the

party in contesting for the seat. Chimanikire was alleged to have engaged in “vote buying” during the primary election that he eventually won. In the case of St. Mary’s, the tug-of-war was reportedly between the MDC chair, Isaac Matongo and Job Sikhala, the sitting MP. The latter subsequently won in the primary election.

In sum, the primary elections were fiercely contested in both Zanu PF and the MDC. Both parties demonstrated limited experience and skills in conducting primary elections. Allegations of “imposition of candidates from the top” and “vote-buying” were often made in both parties. However, the setting of a 30 per cent for female candidates by Zanu PF was a new dimension in accordance with the SADC objective of increasing women legislators by 2005. There remains great scope to improve on the conduct of primary elections as an instrument of intra-party democracy.

#### **4.4 PROVINCIAL CAMPAIGN SUMMARIES**

In accordance with its mandate, ZESN deployed 260 long-term observers during the pre-election period. These carried out prior observation before the organization 6 000 observers went out to assess the polling (ZESN, 2005). According to its long-term observers, voter registration and inspection appeared to follow different patterns in rural and urban areas. Although voter registration and inspection were not adequately advertised in the media, in rural areas, people appeared to be well informed about them through their community leaders especially kraal heads and chiefs. Indeed, voter registration and inspection was reported to be higher in rural areas than in urban centers.

##### **4.4.1 MIDLANDS**

The period up to December 2004 witnessed the preparations for Zanu PF primaries as the most notable activity. There were no reports of civil society organizations being prevented from arranging workshops in the province. However, such workshops needed to be sanctioned by the local and traditional and political leadership. In Gweru Rural constituency, there were allegations of vote buying by some Zanu PF leaders. In general, there were no reports of politically motivated violence. However, the inspection of the voters’ roll in the province was marred by a low turnout.

#### **4.4.2 MASVINGO**

Civic organizations were able to organize workshops in the province with consent of the local traditional leadership with the exception of the Mwenezi constituency. Inspection of the voters roll went well in the province. Although there were no reports of inter-party violence, there were intra-party clashes between rival Zanu PF factions, and between rival MDC groups. No arrests were made.

In September, the MDC leader, Morgan Tsvangirai addressed a rally in Masvingo. However, a follow-up rally by the outgoing MDC MP, Silas Mangono was subsequently cancelled. In the Gonarezhou area of Chiredzi, there were allegations that voters were forced to attend a Zanu PF meeting.

#### **4.4.3 MANICALAND**

Civic organizations were able to conduct workshops except in three Makoni constituencies. This was allegedly because these had been declared one-party constituencies by the local political and traditional leadership.

There were allegations that Zanu PF took control of the registration process in Chipinge North and South by using kraal heads to lead the people under them to inspection centers. But the change in some constituency boundaries may have caused confusion among some voters. For example, Wengezi used to be part of Chimanimani but has now become part of Mutare South. This seems to have caused confusion amongst potential voters as they were unaware of new boundary changes.

There were isolated reports of political violence particularly in Chipinge South. Zanu PF supporters reportedly beat up opposition supporters who then ran away and sought refuge in neighbouring Mozambique.

#### **4.4.4 HARARE**

The turn-out for voter inspection was very low in Harare. For those who turned out, some did not find their names on the voters' roll while others did not have the required documents like proof of residence to re-register. In general, there appeared to be a limited number of inspection centers in Harare.

Some residents in suburbs of Glen Norah, Glen View and Budiro were allegedly forced to buy party cards and attend political rallies. The Ngungunyana Housing Scheme may have been used to gather support from voters. Finally, there was an allegation that passport application forms may have been distributed on a partisan basis to lure potential voters.

#### **4.4.5 CHITUNGWIZA**

ZESN was not allowed to conduct voter education in the Unit F, Zengeza and St. Mary's areas of Chitungwiza. There were several allegations relating to voter registration and inspection. First, members of the Women's League were reportedly in possession of a voters' roll that they were believed to be using in conducting a separate registration exercise. They allegedly moved from 'door to door' with a copy of the voters' roll to check on voter registration. Finally, there was a housing scheme launched by the Zanu PF candidate for Chitungwiza. Critics complained that this was tantamount to vote buying.

#### **4.4.6 MASHONALAND EAST**

There appeared to be a prevalence of registration through coercion in the various constituencies of Mashonaland East. It was alleged that traditional leaders directly or indirectly forced people to register claiming that they already had a list of all those eligible to vote. One's failure to register would court unspecified serious consequences. Similarly, in the Marondera areas of Rusike and Dombotombo, landlords were forced by Zanu PF functionaries to register their tenants.

There were cases of 'hidden' voter inspection centers at places like Forest Lodge and Igava areas. A significant number of eligible voters may have been deterred from inspecting their names. In some parts of the province, it was alleged that people were forced to attend ruling party rallies. Vote buying was allegedly witnessed where food handouts and agricultural inputs were distributed at rallies.

#### **4.4.7 MASHONALAND WEST**

There were intra-party clashes during Zanu PF primary elections in Makonde and Hurungwe West. Vote buying was widespread. For instance, in Chinhoyi, voters were enticed through distribution of free party cards while in Sanyati prospective candidates lured voters through supply of clothes for women, bicycles, food and fertilizers.

In general, the primaries in this province appeared to have been marred by tension and intimidation with the exception of Zvimba North and South. The latter did not conduct primary elections since the candidates were unopposed. Finally, while the ESC carried out much of the voter education, there was only limited voter education by civic organizations.

#### **4.4.8 MASHONALAND CENTRAL**

Initially, Mashonaland Central was “a no go area” for campaigning by other parties besides Zanu PF. Party cards were compulsory and failure to produce one could result in serious consequences. There was allegedly a serious monitoring of movements of opposition party members or new-comers to the province. This was a province where civic organizations were completely shut out.

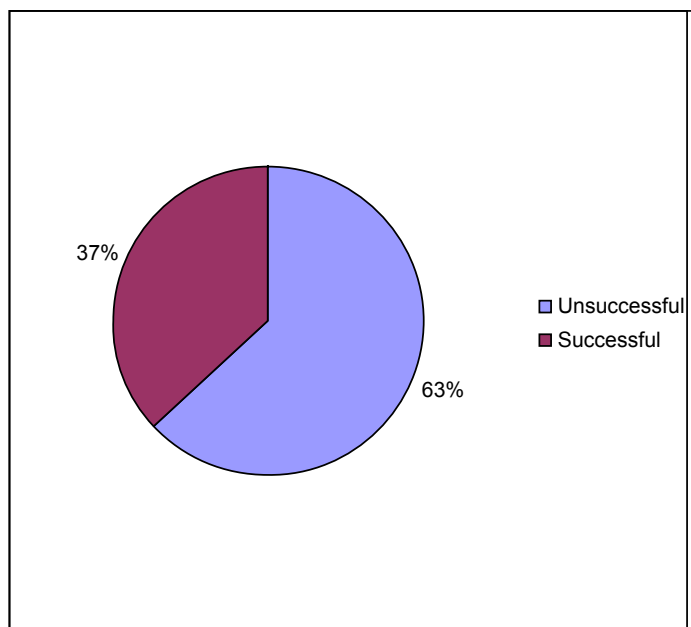
The inspection of the voters’ roll seems to have been adequately publicized by the ESC, and there was a high turnout. However, in certain areas of the province, voter inspection was marred by apathy. Vote buying was rife especially at campaign rallies where farming inputs and bicycles were distributed.

#### **4.5 WOMEN CANDIDATES AND THE ELECTION**

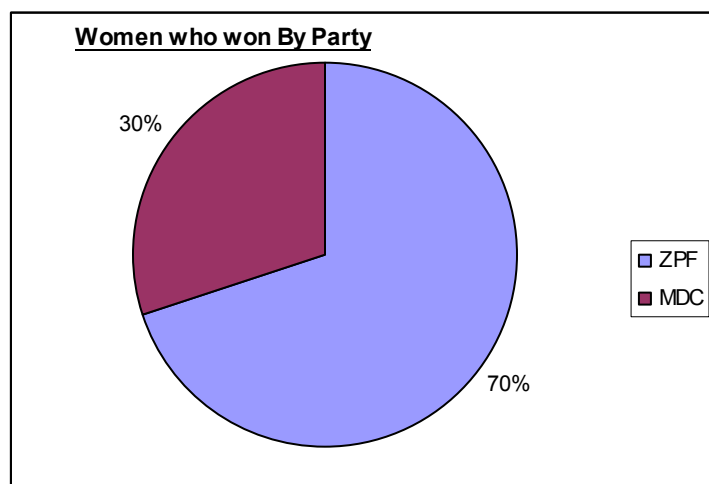
The role of women in an election is of paramount importance in the democratic building process (ZESN, 2005). Women have played a significant role in the electoral process but often this role is not appreciated. Issues relating to women and elections are often sidelined, and important issues relating to their rights are frequently relegated during election campaigns. This is despite the fact that women constitute 60 per cent of the eligible voters. The 2005 election campaign had some momentum added to it with the appointment of Joyce Mujuru as a Vice-President (Ibid.).



## Graphical Presentation – Women Results 2005 Parliamentary Election



Total Contesting	54
Successful	20
Unsuccessful	34



ZPF	14
MDC	6

With 13 elected women MPs in the outgoing Parliament, Zimbabwe had experienced a decline in women representation from a peak of 23 in the fourth Parliament of 1995 to 2000. Women's parliamentary representation at below 10 per cent fell far short of the target of 30 per cent set by SADC. It was significant that Zanu PF made a decision to raise the proportion of women participating in its primaries to 30 per cent. In the MDC, preference in primaries was given to sitting women MPs. It was therefore interesting amongst the 120 candidates that Zanu PF and MDC fielded, there were 30 amongst the former and 18 in the latter. While Zanu Ndonga fielded 8 women candidates, there were also two women Independent candidates (*Ottilia Maluleke of Chiredzi South later pulled out*). Altogether 58 women candidates stood in the 2005 election (Wipsu, 2005).

In the election itself, some 20 women (or about 16 per cent) would be successfully elected for the 120 directly elected seats. 14 of them are from Zanu PF while 6 are from MDC. Because the overall proportion of women MPs falls far short of the SADC 30 per cent threshold, the issue of women's representation remains a post-election concern (Ibid.). In sum, although the contesting parties paid lip-service to gender issues and especially increased women representation, they did not seriously pursue these issues in concrete ways and strategies.

#### **4. 6 MEDIA ACCESS AND COVERAGE**

The bulk of the news media in Zimbabwe consists of the state-owned Zimbabwe Broadcasting Holdings (ZBH), the sole radio and television broadcaster, and state-controlled newspapers which have a greater circulation than independently-owned ones. Historically, this media has been partisan in its orientation; it continues to be biased largely in favour of the ruling Zanu-PF party. Although most (but not all) independent papers give a great deal of space to Opposition views, they have a relatively small circulation. There was little change in the patterns of orientation and bias during the 2005 election campaign.

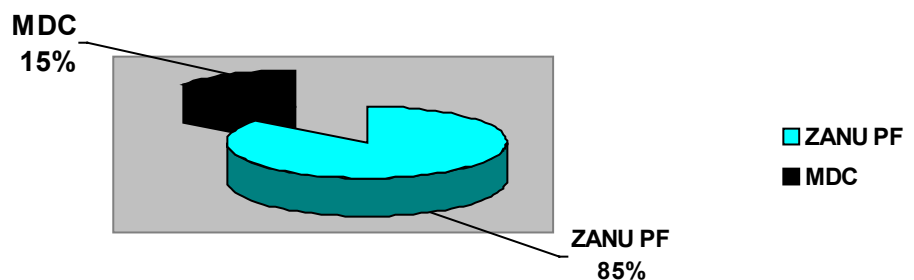
The national public broadcasting corporation, ZBH, failed to fully fulfill its public mandate to provide 'balanced, fair, complete and accurate' coverage of the March 2005 parliamentary election campaign as stipulated under the Broadcasting Services (Access to radio and television during an election) Regulations gazetted in February 2005. While opposition parties and independent candidates have been officially allowed access to Zimbabwe's electronic media for the first time during an election

campaign, news and current affairs coverage both prior to and after the start of the February 26 ‘election period’ (Defined in the Broadcasting Services Act as 33 days before polling day), was biased in favour of the ruling party, ZANU PF.

Democracy depends upon an electorate that is capable of making informed choices. It is therefore the duty of the national public broadcaster to report news fairly and accurately and to grant political parties equitable access to its airwaves at all times - not just before elections. The imposition of a 33-day “election period” as set out by Zimbabwe’s broadcasting laws, is an arbitrary figure set by an interested party that implies a limit to ZBH’s public service mandate which in itself undermines basic principles of democratic practice; the right to know and to be informed. For this reason MMPZ has assessed access to the media and election coverage from 1 January 2005, as well as coverage during the “election period”.

MMPZ’s findings show that between 1 January and 30 March the main stations of Zimbabwe Broadcasting Holdings (ZTV, Radio Zimbabwe and Power FM) carried a total of 426 election campaign stories covering the activities of ZANU PF and the opposition MDC. Of these, 363 (85%) were on ZANU PF while 63 (15%) were on MDC. Although coverage of the MDC was generally neutral, coverage of ZANU PF was used to portray the ruling party positively.

**Fig. 1: ZANU PF and MDC campaign stories on ZBH  
January 1 - March 30 2005**



The SADC *Principles and Guidelines* stipulate that there should be “equal access for all parties to the state media”. However, neither of the ZEC Act nor the *Electoral Act* contain provisions to ensure that all parties, including opposition parties, have equal access to the media. The state media remains skewed in favour of the ruling party.

However, a departure during the election campaign was new broadcasting regulations that facilitated access of contesting parties to the electronic media. ZESN welcomed this as positive development in election broadcasting in Zimbabwe. However, the starting date of the broadcasts was 26 February 2005, a mere five weeks before polling date. Parties were given slots to present their manifestos and programmes to the electorate on radio and television.

Although parties were allowed to advertise on radio and television, it was prohibitively expensive. For example, it cost Z\$226 million for a party to secure an hour of prime time advertising on television, and Z\$84 million on radio. Financial constraints on parties subverted the granting of access to the electronic media.

With respect to print media, the ruling party profited from the unequivocal editorial support provided by state-controlled dailies, *Herald and Chronicle*, and the Sunday papers, *Sunday Mail and Sunday News*. Some of the articles and profiles on the opposition parties and leaders in the *Herald and Sunday Mail* were tantamount to brazen ‘propaganda’ pieces. With the closure of the mass circulation *Daily News*, the opposition MDC was at a great disadvantage.

#### **4.7 USE OF STATE RESOURCES IN CAMPAIGNING**

The ruling Zanu PF party derives substantial advantages from incumbency. This is not only in relation to unrivalled access to state-controlled media but to other state resources for use in the campaign. President Mugabe used Air Force helicopters as transport during campaigning. It was observed that other forms of transport such as DDF trucks were used for campaign purposes. They were used to ferry ruling party supporters to campaign venues in Matabeleland South. In another instance, Zupco buses and Department of Social Welfare trucks were used for a similar purpose in the Chitungwiza campaign. There were instances where it was unclear whether the agricultural inputs and maize meal distributed at rallies were private property of the party or candidate or from public coffers.

In some areas, schools were used as venues for Zanu PF star rallies. Although it was claimed that computers were privately sourced with the assistance of Reserve Bank governor, Gideon Gono, the timing of their allocation to schools raised some questions. One such question was whether the timing was an attempt to influence voters. It was estimated that schools in Mashonaland West received about 1 000 donated computers from the President while other provinces received a share. Zanu PF candidates were observed to be giving out maize or making it available for sale at lower prices during the campaign. Such was the case in Gutu in Masvingo, Dangamvura in Manicaland during the campaign. In March, some 72 000 tonnes of maize was distributed in the two Matabeleland provinces. The use of public resources to sway voters is clearly an advantage that is not open to opposition parties especially in rural areas.

## **CHAPTER 5**

### **POLLING, COUNTING AND RESULTS**

#### **5.1 POLLING**

The polling in the 2005 election was different from previous ones in several ways. First, it was restricted to one day whereas it used to be spread over two days, even three days, in the past. Second, translucent ballot boxes were used. Third, the practice of having mobile polling stations was abandoned. Fourth, visible indelible ink was used. Fifth counting was done at polling stations.

Inevitably, there was concern whether the polling would be completed in one day. To meet the challenge, ZEC planned for 8 265 polling stations (more than double the figure in the last election), and ordered about 50 000 translucent ballot boxes. A new system of queuing according to surnames A-L, M and N-Z would be used to quicken the pace of voting. Other preparations for one-day polling included purchase of 15 000-gas lamps for use at night at the counting stage.

#### **5.2 POLLING DAY**

ZESN had observers posted at 87 per cent of the county's 8265 polling stations in both urban and rural areas. By mid-afternoon, ZESN supervisors had visited 1 264 of the polling stations and observed that the voting process was progressing smoothly and speedily in conditions of peace and tranquility (ZESN, 2005). The speedy processing of voters was attributed to the new alphabetical voting system as well as the increase in the number of polling stations. Although most of the polling stations opened on time, ZESN was concerned that 16 of its observers were denied access to certain polling stations. This was in Mbare, Mabvuku and Hatfield in Harare; Chivhu and Chikomba in Mashonaland East; Hwange and Binga in Matabeleland North; Gutu South, Zaka East and West, Mwenezi and Chiredzi North in Masvingo and in Silobela and Ngezi. While the election was generally peaceful, there were reports of minor incidents of intimidation and disruptions. This was at Lupane, Kambuzuma, Bindura, Mutare Central, Mutare North, Zvimba North, Manyame, Makonde, Magwegwe and Lobengula polling stations.

## VOTERS TURNED AWAY FROM VOTING BY PROVINCE

<u>PROVINCE</u>	<u>NO.</u>
Manicaland	26 976
Harare	31 872
Mashonaland West	35 267
Mashonaland East	16 796
Matabeleland South	10 892
Bulawayo	11 352

The number of potential voters turned away from voting for one reason or another was significant and disturbing. It ranged between 10 and 25 per cent in some constituencies. An estimated 133 000 voters were turned away from voting (Standard, 10 April 2005). The common reasons were lack of identity documents, and wrong constituency following changes in boundaries. There were instances where the number of those turned away exceeded the numbers in the narrow margin of win in some constituencies. As it has been posed:

*“the question to ask is: if they were turned away because they were in the wrong constituency, were there direct efforts on where to go and did they eventually vote in the correct constituency...They might have been turned away but directed to other polling stations...”* (Chiweshe, 10 April 2005).

Nobody really knows still. But the significant numbers turned away reflect a problem. This could be attributed to lack of adequate voter education on the new constituency boundaries, and point to the importance of inspecting the voters' roll ahead of an election.

The sitting of some of the polling stations had been raised during the election campaign. The stations were located in areas of questionable neutrality. For instance, in Chipinge North and Rushinga, there were polling stations sited at chiefs' homesteads e.g. Mpalani Homestead in Insiza, at an army headquarters in Masvingo, at Llewellyn Barracks, Khambi Prisons in Bulawayo and Matabeleland North as well as at some national youth training centers in Manicaland, Mashonaland East and West

and the Midlands. There were worries that these centers were not perceived as “neutral areas” by the local population.

### **5.3 TURNOUT**

The turnout in the 2005 election was reportedly higher than in the 2000 general election (Herald, 4 April 2005). An estimated 2,7 million cast their votes, and this was about 10 per cent more than in 2000. However, the level of turnout varied significantly. It was generally higher in rural areas compared to urban areas. Turnout appeared to have been low in Bulawayo and in the two Matabeleland provinces, while it was high in Mashonaland Central. However, a more detailed assessment of trends in turnout still needs to be made. In sum, the fears of widespread apathy seem not have been borne out. The mobilization of the voters during the short but intensive campaign did bear some fruit.

A source of concern relates to the prevalence of spoilt ballot papers. An estimate by the Zimbabwe Lawyers for Human Rights (ZLHR) was that there were about 60 427 spoilt papers. This figure adds up to a population of about two constituencies. Lack of voter education has been given for the persistence of spoilt ballot papers.

### **5.4 POSTAL BALLOTS**

Like in previous elections, postal ballots were used in this election. Those entitled to vote by postal ballot include members of the public service or uniformed service who have “good reason” to be away from their constituency on the polling day. They also include electoral officers and monitors, those absent from Zimbabwe on government service and their spouses. Such categories of people can apply to the Chief Elections Officer for postal ballot papers. However there were some concerns that thousands of electoral officials on duty did not vote.

It was observed that ZEC appeared to have failed to provide adequate information about how and where the postal voting would occur (ZLHR, 2005). In view of adverse pre-election publicity on this issue, transparency in the postal voting process was imperative. Information about it should have been made readily available and a mechanism put in place to ensure that proper scrutiny would occur. When ZEC announced that postal voting had occurred well before March 31, there were



allegations that some contesting parties were unaware of this, and not present when the ballot boxes were sealed and empty, and when the votes were placed in the boxes and re-sealed.

## **5.5 COUNTING**

Counting at polling stations commenced after voting had ended. In terms of the *Electoral Act*, once counting had been completed and conveyed to the constituency center, the presiding officer of that particular polling station should display the results outside the polling station for the public to see. However, this was not done in some places. Failure to display results at some polling stations reduced transparency and accountability, and undermined the value of counting ballots at the polling station in accordance with SADC *Principles and Guidelines*.

Furthermore, observers were unnecessarily 'detained' at polling stations when counting had been completed. Had ZEC provided observers with unfettered access to vote counting at polling stations, ZESN would have been in a position to verify results, and help resolve election-related disputes.

There were a number of discrepancies in the number of votes announced by ZEC during the night and morning of 31 March and 1 April respectively as having been cast and the final results announced. The examples of such discrepancies are the votes in Goromonzi and Manyame constituencies.

In Goromonzi, for example, the number of votes announced by ZEC at 2 am on 1 April 2005 had suddenly gone up by 62 per cent from 15 611 to 25 360 when the final results were announced. Zanu PF won the constituency. Another example pertains to Manyame. According to ZEC, 14 812 had cast their ballots at the close of polling but they catapulted by 72 per cent to 23 760 when the final results were announced. The seat was also won by Zanu PF. In the Highfield seat which was won by MDC, the total number of ballots cast did not tally with the number of votes cast for the contesting candidates. Sections of the media also gave more examples of such inconsistencies (Standard, 3 April 2005; Independent, 8 April 2005).

## 5.6 RESULTS

The results began to be announced constituency by constituency on 1 April 2005. The final set of results was released by ZEC on 2 April 2005. They were as follows:

**Table 5.1 ELECTION RESULTS OF THE 2005 ELECTION**

Provinces	ZANU PF VOTES	ZANU PF SEATS	MDC VOTES	MDC SEATS	OTHERS SEATS
Bulawayo	22611	0	85454	7	0
Harare	112143	1	234138	17	0
Manicaland	191577	13	146538	2	0
Mash East	243398	13	85600	0	0
Mash central	229525	10	43092	0	0
Mash West	200699	12	77942	1	0
Masvingo	211435	13	99044	1	0
Mat North	58727	1	85883	5	1
Mat South	70805	3	70033	4	0
Midlands	228887	12	139386	4	0
<b>Total</b>	<b>1569807</b>	<b>78</b>	<b>1067110</b>	<b>41</b>	<b>1</b>

Source: ZEC, 2005; Herald, 4 April 2005

## CHAPTER 6

### THE POST-ELECTION PERIOD

#### 6.1 CONTROVERSY OVER RESULTS

No sooner had ZEC finished announcing the results than controversy broke out over what were viewed as discrepancies in the total votes cast and won in at least 30 of the constituencies. The discrepancies were between the totals given of votes cast at the end the polling day of March 31, and the totals issued by ZEC on 1 April. The MDC raised this issue on 1 and 2 April and went on to identify the constituencies where it alleged that there had been discrepancies. Several examples given were the following:

- Kariba - ZEC announced that the total votes cast as being 16 676. The MDC candidate with 9540 votes polled more than half the votes cast. However, when the results were finally issued, the Zanu PF candidate was announced the winner with 13 719 votes. The total votes cast becomes 24 142. The discrepancy was 7466 votes.
- Mutare South : The ZEC figures for the total votes cast was 14 054. The MDC candidate received 8220 votes. The final result released showed total votes as being 19772 with 11552 of these being for the Zanu PF candidate. There was a discrepancy of 5718 votes.
- Beit Bridge: ZEC announced that 36821 had voted but the totals only added up to 21 968 leaving a negative balance of 14853 votes unaccounted for.

It took several days before ZEC formally responded to these charges of discrepancies. Some six days after the charges were made, the ZEC Chairperson told a press conference that the figures given in the updates on 31 March were not "necessarily an accurate reflection of the facts on the ground... and that the figures were intended to give an indication as to the turnout trends in various provinces and constituencies" (Justice Chiweshe as quoted in the Zimbabwe Independent, 8 April 2005). At the time of writing this report, the controversy was unfolding. The clumsiness on the part of ZEC will need to be convincingly explained. Some of the international observer missions suspended their final verdict on the election pending the resolution of the controversy.

In view of the above disparities, ZESN has commissioned a statistical analysis of the 2005 parliamentary elections results. The major findings of the study using **ZESN data at polling station level only** in which the organisation had a high level number of observers show that the ZEC results which indicated that ZANU PF won, vary with the ZESN pattern in four constituencies, Chipinge South, Buhera South, Makoni East and Gwanda. The other three constituencies Gweru Rural, Harare South and Zhombe also show some inconsistencies between ZEC results and ZESN data although ZESN had few observers in those places. In Bubi Umguza, the ZESN pattern shows that in most polling stations there was a close contest between ZANU PF and MDC except at some few polling stations where ZANU PF had high picks, which probably made ZANU PF win in these constituencies. ZESN data shows that these high picks were recorded at polling stations like Imbizo Primary School in Llewellyn Army Barracks and another at Khami Prison. In Insiza at one polling station, Mpalani Homestead there is also a sharp increase in ZANU PF votes. ZESN in its preliminary statement of the 2005 Parliamentary Election noted that some of these polling stations were located in non-neutral places.

Other constituencies of interest noted in ZESN data at polling station level are Chipinge North, Chimanmani, Kariba, Chegutu, Bikita East, Matobo, Hwange East, Gutu South, Masvingo Central and Mutasa South, Kwekwe where the results show a close contest between MDC and ZANU PF.

The study further used hypothesis testing method comparing ZEC constituency results as announced on national television and ZESN data at polling station level. Even though ZANU PF and MDC won with huge margins in some constituencies, the ZEC results and ZESN data show inconsistencies. The constituencies for which there are significant differences using hypothesis testing are as follows: one (1) no variance (0.9%), 53 (46.1%) very close, moderate 32 (27.8%), high 29 (25.2%) (*refer to the report for detailed information*). They are categorised into 'no variance' which means ZEC results and ZESN data are similar, 'very close' means the ZEC results and ZESN data are almost similar, 'moderate variances' meaning that there is no significant difference between the two sets of election data. Whilst the 'high variances' means there are significant differences between the two sets of data. The variances are defined as follows: greater than **zero percent** to **2 percent** variance is considered very close, **3 to 5 percent** is classified as moderate and **5 percent** and above is categorised as high

variance. Statistically it is accepted the fact that any percentage difference between any two numbers of 5% or greater is of significant.

In the absence of official copies of tabulation of results at polling stations and constituency level as well as the numbers and distribution of postal votes by ZEC to the general public and all interested stakeholders, many questions remain unanswered.

## 6.2 ASSESSMENT BY OBSERVERS

The preliminary assessment by most observers seemed to stress the peaceful environment in which the election was held. The tranquil situation was in stark contrast to the violence and lawlessness that marred the 2000 election. Some of the early favourable assessment was from the SADC Observer team headed by Phumzile Mlambo Ngcuka who described the elections as *“peaceful, credible, well managed and transparent”* (SADC Observer Mission, 2005). It added that *“the polling stations opened and closed at the appointed times and SADC was impressed by the orderliness and patience of voters, who we believe, were able to express their franchise peacefully, freely and unhindered”*. For its part, the South African government observer mission headed by Membathisi Mdladlana stated that the election by and large conformed to the SADC guidelines governing elections. Furthermore, the conduct of political parties and candidates showed much tolerance and maturity, above all the election outcome *“reflected the will of the people”* (Mdladlana, 2005). The SADC ECF Mission and the AU Observer mission expressed similar sentiments.

Nevertheless, there were areas identified as requiring attention or improvement. For instance, the AU Observer mission noted that the MDC had alleged serious discrepancies in the official results in some constituencies. It hoped that ZEC and ESC would *“promptly look into the allegations with a view to assuring the Zimbabwean people of the authenticity of the results of the election”* (AU Observer Mission, 2005).

The SADC Observer mission pointed out the need to improve equitable access to the state media by all political parties as well as the need to ensure the timely authorizations for voter education by the relevant institutions. The mission went further to stress the need for wider publication or dissemination of information relating to updating and verification of voters roll. Finally, the mission was concerned about the number of people who were turned away from polling stations. This pointed to the fact the voters' registration process requires improvement.

In its own preliminary assessment, the SADC ECF pointed out the need to improve civic education in relation to voter registration. Furthermore, there was need, in its view, to rationalize the functions of ZEC and ESC to further streamline election administration in Zimbabwe.

### **6.3 POST-ELECTION RECRIMINATION AND INCIDENTS**

The main developments related to the rejection of the election results by the MDC and a demonstration by several hundred of its supporters in Harare two days after the election. There were arrests of the MDC Secretary for Youth, Nelson Chamisa and party supporters following the demonstration and damage to property in the central business district in Harare. In Mutare and Mazowe, there were allegations of retribution from Zanu PF but it has been difficult to establish a pattern to those incidents. (Daily Mirror 2005-April-13), two losing MDC candidates in the 2005 Parliamentary election, Douglas Mwonzora (Nyanga) and Aaron Chinhara (Gokwe) were arrested on allegations of inciting violence. By the second week of post-election period, there was a general sense of things returning to normal with the dissipation of the election fever.

More than a week after the elections, the President appointed 10 Provincial governors, 12 non constituency Members of Parliament and together with 10 Chiefs elected by the national and provincial chiefs' electoral colleges and provincial governors. The 120 elected MPs and the 30 appointed were all sworn in Parliament on the 13<sup>th</sup> April 2005.

On 13 April 2005 the MDC started challenging the election results. Initially there were 13 and by 21 April 2005 they had filed about 16 court petitions on election results.

## CONCLUSION AND RECOMMENDATIONS

This report has examined the 2005 election process from the pre-election period to the campaigning phase and the polling as well as the post-election period. It highlighted parts of the process that were organized effectively and those that experienced problems and weaknesses. These have been identified and discussed in the various chapters of this report from a constructive standpoint. In this concluding chapter, the key highlights of the election and the challenges that need to be addressed to improve the conduct of future of elections are recapped and elaborated.

A key pleasant surprise of the 2005 election relates to the peaceful environment in which it was conducted. Compared to previous elections, incidents of intimidation and violence were significantly lower in number. This contributed to a significant improvement in the atmosphere of the election campaign. From a regional perspective, this was a landmark election in the sense that it was expected to be organized in the framework of the SADC *Principles and Guidelines* spelt out in 2004. The following sets of issues need to be highlighted.

In terms of the Constitution, the President is allowed to appoint 30 non- constituency members of parliament of which 10 of them would be traditional leaders elected by the Electoral College of Chiefs.

**It is recommended that this provision be repealed, as it gives unfair advantage to the sitting president (regardless of the party).**

Zimbabwe uses the 'first past the post' Westminster system. This system does not encourage the representation of smaller parties in parliament. For example, if at the end of polling, ZANU PF receives 60% of the vote and MDC 40%. If we were voting Proportional Representation, these would translate to 72 seats for ZANU PF and 48 for MDC.

**We recommend a mixed proportional representation and constituency electoral system.**

Zimbabwe's Parliamentary elections are held every 5 years whilst Presidential elections are held every 6 years. ZESN is concerned that this may cause some challenges in the future. For instance



where there is change in the party with the majority of seats in parliament and the President is from a minority it may become difficult to govern the country.

**It therefore recommends that Zimbabwe should consider having these two elections at the same time.**

In addition the **Delimitation process** would need re-visiting. Currently, the process is viewed as opaque without input from key stakeholders such as electoral bodies and parties. In other countries in this region, the Electoral Commission would be responsible for the delimitation process. This has not been the case in Zimbabwe. There have been suspicions expressed about gerrymandering through delimitation to improve the electoral fortunes of one of the parties. ZESN recommends for a participatory and well-timed delimitation process that includes the main electoral administration body, parties and the public.

Due to observation concerning the substantial number of voters turned away from polling stations, and the prevalence of spoilt ballots, it would appear that there is **great need for voter and civic education**. In the 2005 election period, there were clearly limitations experienced with ensuring that voters had basic information about aspects such as constituency boundaries, and documents to show during voting. Voter education should stress the importance of timely voter registration and inspection. Because voter and civic education is a mammoth task, the main electoral body should develop confidence in local NGOs that have the necessary expertise to provide this education. Indeed, voter education should be a continuous process.

The perennial issue of **voter registration and inspection should be addressed** in a more concerted manner than in the past. Voter registration should be well publicized and an ongoing exercise that continues until at least one month before the election. The voters roll itself should be updated from time to time and made accessible to parties and the public. Transparency in the maintenance of the roll is essential to dispel suspicions about inclusion of “ghost voters”. There needs to be sufficient publicity about the inspection of the voters roll. The integrity of an electoral system depends a great deal on the accuracy and reliability of its voters roll.

The 2005 election witnessed **a demand for voting rights by Zimbabweans currently living in the Diaspora**. They constitute a population of between 2 and 3 million, and those who would ordinarily be eligible to vote could be over 1 million. The Court decision not to extend the vote to them resulted in their dis-enfranchisement. This issue needs to be reviewed in light of the growing population of Zimbabweans in the Diaspora.

In past elections, accreditation was centralized thereby posing the problem of expense especially on the part of NGOs involved in election work. In 2002, ZESN recommended that **accreditation should be decentralized**. This would ensure efficiency in the whole process and reduce transport and accommodation costs on the part of those seeking accreditation. More generally, the process of accreditation of observer teams, including foreign teams, should be more transparent. The reasons for not inviting such experienced observer as the SADC Parliamentary Forum and EISA raised eyebrows and much concern. The criteria on which they were not invited were not made clear raising concern about its genuineness.

There should be **transparency in the procedure of postal voting**. There have been concerns about whether procedures have been properly followed to ensure secrecy at voting and credibility of the process. Postal voting should be widened to include all eligible voters, and not limited to those in the public service. Transparency is also absolutely vital **in the transmission and announcement of results**. The wrangle over ZEC poll figures that apparently contained discrepancies was a public relations setback for the new body.

The continued co-existence of the ESC and ZEC appears to cause confusion amongst both local and foreign observers. Their functions appear to overlap while there does not appear to be a convincing explanation why one independent electoral body cannot undertake all election-related functions. Like in other countries in the region, the various election management bodies **should be streamlined into one that is independent, well resourced and maintained**. ZEC should provide the basis of such a body.

There are several other issues that this report underlined: these are not technical or administrative issues but ones that relate to political values and arrangements. The first relates to equal access to

the public media and state resources by the contesting parties. Although new broadcasting regulations allowed some measure of access of parties to the electronic media to discuss their manifestos, there was no balance in the news stories that the media carried. Similarly, the reporting in the state-controlled print media remained clearly biased in favour of the ruling party. The issue of public media access should therefore be re-visited **to allow for a mechanism to ensure equitable opportunity of media exposure**. The same need for a transparent mechanism would apply to the use of state resources in election campaigning. One party had disproportionate access to state resources as the report showed. There need to be clear rules on whether and when state resources should be used, and on the accounting of that use.

In a related vein, there were worries on the part of some of the contesting parties that traditional authorities were playing an active role in the 2005 campaign. Kraal heads and chiefs were reportedly involved in voter registration and inspection, and on mobilizing communities under them on the polling day. Furthermore, they were not playing this role in a non-partisan manner. Hence the call that those **traditional authorities should be non-partisan**; their communities are not made up of members of one party!

The report observed that some of the laws are not conducive to expression freedoms of association, assembly and expression. Such laws as AIPPA, POSA and the NGO bill have draconian provisions which severely limit political freedoms and space. Citizen participation was curtailed in that the rights to association and assembly were limited by POSA which was selectively applied by the police who deliberately misinterpreted the Act to mean that opposition parties required permission to hold meetings and rallies which is not what the law says. AIPPA imposes severe penalties to journalists who publish false information but the same law does not define what amounts to false information. This affected the citizens' rights to information in that journalists found it difficult to report on election-related issues or matters which could be interpreted as false. **These laws should be reviewed in order to create a more democratic framework** that the SADC *Principles and Guidelines* spell out.

Gender issues and especially the matter of women's participation in the election as candidates were perhaps not given the prominence that they deserved. Notwithstanding the elevation of Joyce Mujuru to the Vice-Presidency, the main parties could have ensured a higher profile for women candidates.

Although the Zanu PF threshold of 30 per cent for women candidates during primaries went some way to encourage women to contest, this did not ensure that the minimum 30 per cent representation laid by SADC would be achieved by this year. Furthermore, the threshold was rendered very difficult to achieve because in some constituencies, women candidates stood against each other.

There should be created **a momentum to promote inter-party dialogue in the post-election period**. Such a dialogue should center around constitutional and broader electoral reforms. Although its two-thirds majority allows it to push through certain amendments to the constitution, the ruling party should try to cultivate an inter-party consensus on reform, and promote a broad national consultative process. This consultative process should address the repeal of 30 non-constituency seats, the simultaneous holding of general and presidential elections and the possibility of a system of mixed proportional representation and constituency electoral system.

Finally, although the Zimbabwe Government signed on to the *SADC Principles and Guidelines on Democratic Elections* and was the first country to organize its election around them, it is still has a long way to go to meet its criteria fully. This Report has shown the shortfalls that require to be addressed if the country's electoral structures and processes are to tally with both the *letter and spirit* of the *Principles and Guidelines*. In retrospect, they provide a useful framework in which to manage electoral reform to ensure democratic elections. It would be cynical for any government to take a minimalist approach to the *Principles and Guidelines* simply in order to "get off the hook". Zimbabweans and the region deserve far more: a sincere and consistent effort is required to develop them into a framework for sustainable democracy.

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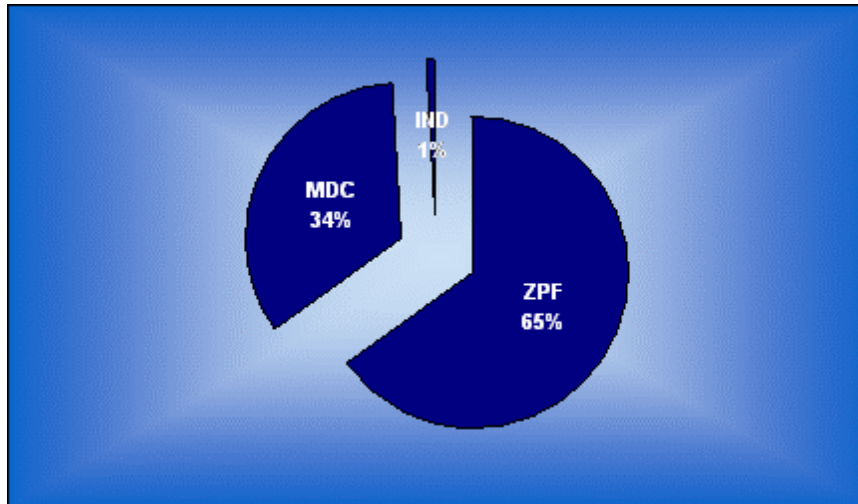
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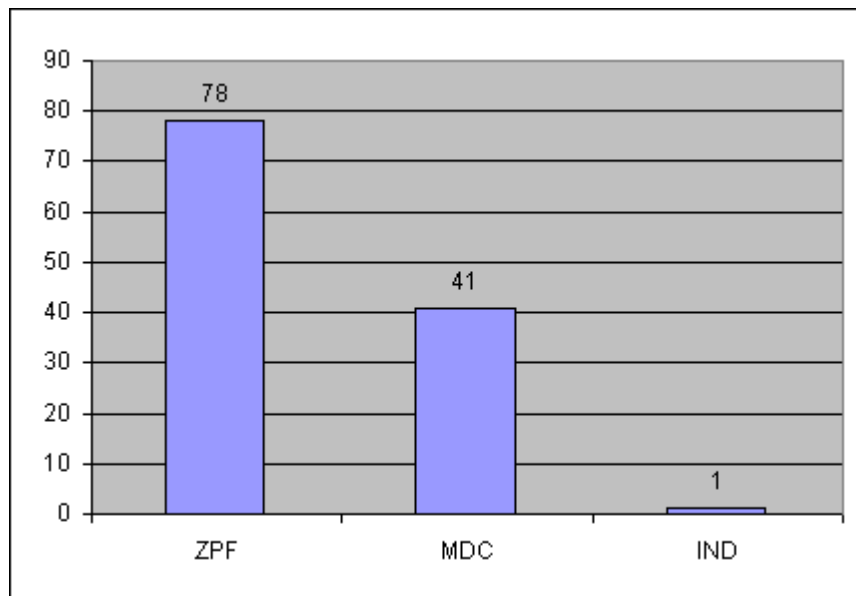
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## Annexure 1

### Graphical Representation of Results -2005 Parliamentary Election



Party Representation



## Annexure 3.

## 2005 Parliamentary Election Results

Constituency	MDC candidate	MDC	Zanu PF candidate	Zanu PF	Other candidate(s)	Other	Spoilt	Total	Voters	Voter	Reg	MDC	Zanu PF	Other
		votes		votes		votes	votes	votes	turned away	turnout	voters	MP	MP	MP
								incl.spoilt	by 19h30 [%]	[ZEC %]	from ZEC results			
<b><u>BULAWAYO (7)</u></b>														
<b>Bulawayo East</b>	Welshman Ncube	10804	Joshua Malinga	2506			179	13489	12.5	30.89	43668	1		
<b>Bulawayo South</b>	David Coltart	12120	Sithembiso Nyoni	3777			84	15981	8.7	36.64	43616	1		
<b>Lobengula Magwegwe</b>	Fletcher Dulini-Ncube	12603	Molly Mpofu	2892			135	15630	7.8	30.62	51045	1		
<b>Makokoba</b>	Thokozani Khupe	12138	Sihle Thebe	3438	Arnold Payne (Ind), Wilson Bancinyany-Ndiweni (Ind)	262	171	16009	11.5			1		
<b>Nkulumane</b>	Gibson Sibanda	12392	Absolom Sikhosana	3243			107	15742	8.5	34.69	45379	1		
<b>Pelandaba-Mpopoma</b>	Milton Gwetu	11587	Sikhanyiso Ndlovu	3228	Leonard Nkala (Ind)	141	157	15113	10.7	31.82	47495	1		
<b>Pumula Luveve</b>	Esaph Mdlongwa	13810	Michael Mpofu	3527	Stars Mathe (Ind)	220	166	17723	8.0			1		
<b>Provincial total</b>		<b>85454</b>		<b>22611</b>		<b>623</b>	<b>999</b>	<b>109687</b>	<b>9.6</b>			<b>7</b>	<b>0</b>	<b>0</b>
<b><u>HARARE (18)</u></b>														
<b>Budiriro</b>	Gilbert Shoko	17053	David Makufa	4886			146	22085	6.9			1		
<b>Chitungwiza</b>	Fidelis Mhashu	12024	Brighton Chirongwe	8126	Kumbirai Juru (Zanu)	193	232	20575	6.6	40.77	50466	1		
<b>Dzivarasekwa</b>	Edwin Mushoriwa	11617	Francis Muchada	5014			266	16897	11.6	43.90	38490	1		
<b>Glen Norah</b>	Priscilla Musihairambwi	14841	Victoria Chitepo	4648	Thomas Gwati (Ind)	36	77	19602	8.1			1		
<b>Glen View</b>	Paul Madzore	14231	Sabina Mangwende	3993	Machakaire (Ind)	61	176	18461	12.5			1		
<b>Harare Central</b>	Murisi Zwizwai	10462	Florence Chideya	4423	Margaret Dongo (Ind)	525	91	15501	11.9	32.55	47622	1		



<b>Harare East</b>	Tendai Biti	9259	Muvengwa Mukarati	4363		97	13719	12.7	33.85	40529	1		
<b>Harare North</b>	Trudy Stevenson	11262	Nyasha Chikwinya	5134		174	16570	11.8	38.66	42861	1		
<b>Harare South</b>	James Mushonga	10716	Hubert Nyanhongo	11545		292	22553	6.4				1	
<b>Hatfield</b>	Tapiwa Mashakada	11652	Amos Midzi	9408		399	21459	8.4			1		
<b>Highfield</b>	Pearson Mungofa	12600	Rodrick Nyandoro	4296	Sekai Dutiro (Zanu)	88	146	17130	8.3		1		
<b>Kambuzuma</b>	Willas Madzimure	17394	Samuel Mvurume	5555		278	23227	6.6			1		
<b>Kuwadzana</b>	Nelson Chamisa	13870	David Mutasa	5024	Luckspond Chitate (Zanu)	116	216	19226	7.0		1		
<b>Mbare</b>	Gift Chimanikire	15543	Tendai Savanhu	9418	Spiwe (Zanu), Dunmore Makuvaza (Ind)	375	544	25880	8.8		1		
<b>Mufakose</b>	Pauline Mpariwa	12643	Sabina Thembani	4016	Godfrey Magaya (Zanu)	177	243	17079	6.7		1		
<b>St Mary's</b>	Job Sikhala	13369	Patrick Nyaruwata	7498	Tendekai Mswata (Ind)	130	284	21281	7.2	39.56	53794	1	
<b>Tafara Mabvuku</b>	Timothy Mubhawu	13473	Pamela Tungamirai	6078	Fanuel Chiremba (Ind)	131	342	20024	9.1	45.91	43616	1	
<b>Zengeza</b>	Goodrich Chimbaira	12129	Christopher Chigumba	8718	Emilda Muchaira (Zanu)	81	208	21136	6.7	45.29	46668	1	
<b>Provincial total</b>		<b>234138</b>		<b>112143</b>		<b>1913</b>	<b>4211</b>	<b>352405</b>	<b>8.6</b>		<b>17</b>	<b>1</b>	<b>0</b>
<b><u>MANICALAND</u></b>													
<b><u>(15)</u></b>													
<b>Buhera North</b>	Tichaona Mudzingwa	11286	William Mutomba	15714	Moses Mutyasira (Ziya)	236	638	27874	8.0			1	
<b>Buhera South</b>	Solomon Madzore	13893	Kumbirai Kangai	15066	Nyamayevhu Solomon Mbaimbai (Zanu)	439	1120	30518	9.7	55.10	55387	1	
<b>Chimanimani</b>	Heather Bennett	11031	Samuel Undenge	15817			794	27642	8.4	51.00	54200	1	
<b>Chipinge North</b>	Mathias Mlambo	10920	Morris Sakabuya	16647	Tuso Muromoyawo (Zanu)	609	638	28814	9.1			1	
<b>Chipinge South</b>	Elia Makotore	12163	Enock Porusingazi	16412	Wilson Kumbula (Zanu)	2129		30704	6.3			1	
<b>Makoni East</b>	Pishai Muchauya	7708	Shadreck Chipanga	9201			431	17340	9.8	43.72	39661	1	
<b>Makoni North</b>	Elton Mangoma	6077	Didymus Mutasa	18910			891	25878	11.1	54.40	47570	1	
<b>Makoni West</b>	Remus Makwaza	7954	Joseph Made	14436	Tendai Chekera (Zanu)	403		22793	6.2			1	
<b>Mutare Central</b>	Innocent Gonese	13289	Shadreck Beta	5088	Sylvia Tsata (Zanu)	73	203	18653	8.4	44.04	42355	1	
<b>Mutare North</b>	Giles Mutsekwa	11597	Ellen Gwaradzimba	7066			233	18896	10.1			1	
<b>Mutare South</b>	Sydney	8220	Fredy Kanzama	11552				19772	7.0			1	

	Mukwecheni													
<b>Mutare West</b>	Gabriel Chiwara	7055	Christopher Mushohwe	13216		625	20896	8.3	49.60	42129			<b>1</b>	
<b>Mutasa North</b>	Evelyn Masaiti	6605	Michael Nyambuya	10135		464	17204	11.9	43.49	39559			<b>1</b>	
<b>Mutasa South</b>	Edwin Maupa	9380	Oppah Muchinguri	9715		478	19573	8.5	48.43	40415			<b>1</b>	
<b>Nyanga</b>	Douglas Mwonzora	9360	Paul Kadzima	12602		767	22729	10.2	47.89	47461			<b>1</b>	
<b>Provincial total</b>		<b>146538</b>		<b>191577</b>		<b>3889</b>	<b>7282</b>	<b>349286</b>	<b>8.7</b>			<b>2</b>	<b>13</b>	<b>0</b>
<b><u>MASH CENTRAL (10)</u></b>														
<b>Bindura</b>	Joel Mugariri	8616	Elliot Manyika	21279		1083	30978						<b>1</b>	
<b>Guruve North</b>	Alan McCormick	2679	David Mutau	24165		895	27739		55.24	50215			<b>1</b>	
<b>Guruve South</b>	Biggie Chigonero	3375	Edward Chininga	16801		605	20781		48.63	42733			<b>1</b>	
<b>Mazowe East</b>	Shepherd Mushonga	7567	Chen Chimutengwende	18041	Gideon Chinogurei (Zanu)	386	722	26716		49.26	54235		<b>1</b>	
<b>Mazowe West</b>	Michael Gonye	5477	Margaret Zinyemba	14397			19874						<b>1</b>	
<b>Mt Darwin North</b>	Chinoto Mukwezvaramba-Zulu	2205	Joyce Mujuru	28943		1196	32344		63.68	50791			<b>1</b>	
<b>Mt Darwin South</b>	Henry Chimbiri	2712	Saviour Kasukuwere	29549		1275	33536		61.87	54204			<b>1</b>	
<b>Muzarabani</b>	Edwin Dzambara	3118	Luke Mushowe	24569			27687						<b>1</b>	
<b>Rushinga</b>	Brianee Mufuka	2298	Sandura Machirori	22494		929	25721		64.59	39822			<b>1</b>	
<b>Shamva</b>	Godfrey Chimombe	4848	Nicholas Goche	29287		1130	35265		58.87	59903			<b>1</b>	
<b>Provincial total</b>		<b>42895</b>		<b>229525</b>		<b>386</b>	<b>7835</b>	<b>280641</b>				<b>0</b>	<b>10</b>	<b>0</b>
<b><u>MASH EAST (13)</u></b>														
<b>Chikomba</b>	Pimiel Kudenga	7403	Tichanoa Jokonya	17928		719	26050	7.3	45.73	56965			<b>1</b>	
<b>Goromonzi</b>	Claudious Marimo	8578	Herbert Merewa	16782		763	26123	7.6	44.69	58454			<b>1</b>	
<b>Hwedza</b>	Theresa Makone	8314	Aeneas Chigwedere	17608		742	26664	4.6	47.10	56611			<b>1</b>	

<b>Marondera East</b>	Ian Kay	10066	Sydney Sekeramayi	19192		677	29935	6.0	50.60	59160		1	
<b>Marondera West</b>	Shadreck Chipangura	4457	Ambrose Mutinhiri	16029		766	21252	7.6				1	
<b>Mudzi East</b>	Essau Machemedze	2676	Ray Kaukonde	18003	Tendai Marowa (Ind)	1179	562	22420	5.7			1	
<b>Mudzi West</b>	Shorai Tsungu	3636	Aqualina Katsenda	18547		613	22796	11.5	55.39	41155		1	
<b>Murehwa North</b>	Alois Mudzingwa	4137	David Parirenyatwa	17677		539	22353	8.7	53.63	41680		1	
<b>Murehwa South</b>	Alaska Kumirai	4586	Biggie Joel Matiza	19200		677	24463	3.8	52.14	46918		1	
<b>Mutoko North</b>	Shupikai Mandaza	3782	David Chapfika	16257		613	20652	5.2	53.46	38631		1	
<b>Mutoko South</b>	Derick Muzira	3358	Olivia Muchena	19390		733	23481	6.6	58.33	40255		1	
<b>Seke</b>	Milton Bene	8843	Phineas Chihota	15434		596	24873	7.0	49.43	50320		1	
<b>UMP</b>	Stewart Pairemanzi	3289	Kenneth Mutiwekuziva	31351		988	35628	8.9	61.42	58007		1	
<b>Provincial total</b>		<b>73125</b>		<b>243398</b>		<b>1179</b>	<b>8988</b>	<b>326690</b>	<b>7.1</b>		<b>0</b>	<b>13</b>	<b>0</b>
<b><u>MASH WEST</u></b>													
<b><u>(13)</u></b>													
<b>Chegutu</b>	Jacqueline Zwambila	8286	Webster Shamu	16542		546	25374	10.4	46.00	55161		1	
<b>Chinhoyi</b>	Silas Matamisa	5773	Faber Chidarikire	9462		323	15558	13.8	38.32	40600		1	
<b>Hurungwe East</b>	Biggie Haurobi	6090	Reuben Maumahoko	19670		792	26552	12.5	45.22	58717		1	
<b>Hurungwe West</b>	Godfrey Gumbo	7663	Cecilia Gwachirwa	17295		903	25861	16.7	46.62	55472		1	
<b>Kadoma</b>	Edita Matamisa	10023	Jimayi Muduvuri	8740		308	19071	9.3	43.61	43731	1		
<b>Kariba</b>	Nathan Makwasha	9540	Jonathan Chandengenda	13719		883	24142	14.6	46.73	51663		1	
<b>Makonde</b>	Japhet Karemba	3643	Leo Mugabe	18607			22250	22.6				1	
<b>Manyame</b>	Hilda Suka Mafudze	8312	Patrick Zhuwawo	15448		543	24303	7.7	50.31	48306		1	
<b>Mhondoro</b>	Shakespear Maya	4015	Sylvester Nguni	13966		453	18434	10.1				1	
<b>Ngezi</b>	Flora Hotyo	2404	Bright Matonga	16801		564	19769	7.2	47.73	41418		1	
<b>Sanyati</b>	Traner Ruzvidzo	4919	Zacharia Ziyambi	16512		748	22179	11.1	52.75	42045		1	
<b>Zvimba North</b>	Prince Chibanda	4834	Ignatius Chombo	16140		673	21647	9.8	43.73	49501		1	
<b>Zvimba South</b>	Emily Masimba	2439	Sabina Mugabe	17797		796	21032	9.3	48.48	43383		1	

<b>Provincial total</b>		<b>77941</b>		<b>200699</b>		<b>0</b>	<b>7532</b>	<b>286172</b>	<b>12.3</b>			<b>1</b>	<b>12</b>	<b>0</b>
<b>MASVINGO (14)</b>														
<b>Bikita East</b>	Edmore Marima	8551	Kennedy Matimba	13009	Calphinos Mutonga (Zanu)	398	646	22604	48.35	46751			<b>1</b>	
<b>Bikita West</b>	Alex Zirabada	7936	Claudius Makova	12628			505	21069	49.55	42521			<b>1</b>	
<b>Chiredzi North</b>	Zvirevo Ngirivana	6671	Celine Pote	17385	Onias Makuni (Zanu)	581	1045	25682	44.39	57855			<b>1</b>	
<b>Chiredzi South</b>	Emmaculate Makondo	6170	Aaron Baloyi	14165	Nehemia Zanamwe (Ind)	778	1021	22134	40.25	54991			<b>1</b>	
<b>Chivi North</b>	Bernard Chivondegwa	4304	Enita Maziriri	14990			727	20021	48.00	41710			<b>1</b>	
<b>Chivi South</b>	Stephen Chengeta	4684	Charles Majange	12749			618	18051	42.00	42979			<b>1</b>	
<b>Gutu North</b>	Crispa Musoni	6554	Josiah Tungamirai	23368			746	30668	52.86	58017			<b>1</b>	
<b>Gutu South</b>	Eliphas Mukonoweshuro	12778	Shuvai Mahofa	15116			166	28060	48.84	57453			<b>1</b>	
<b>Masvingo Central</b>	Tongai Matutu	10298	Shylet Oyoyo	10103	Silas Mangono (Ind)	350	316	21067	43.56	48363	<b>1</b>			
<b>Masvingo North</b>	Joseph Mutema	6584	Stan Mudenge	12615			432	19631	47.07	41706			<b>1</b>	
<b>Masvingo South</b>	Green Gwatinyanya	3377	Walter Mzembi	13498			585	17460	44.46	39271			<b>1</b>	
<b>Mwenezi</b>	Charles Muzenda	3549	Isaiah Shumba	25453			1160	30162	51.78	58250			<b>1</b>	
<b>Zaka East</b>	Misheck Marava	8462	Tinos Rusere	13078			703	22243	44.88	49561			<b>1</b>	
<b>Zaka West</b>	Harison Mudzuri	9126	Mabel Mawere	13278			668	23072	45.01	51260			<b>1</b>	
<b>Provincial total</b>		<b>99044</b>		<b>211435</b>		<b>2107</b>	<b>9338</b>	<b>321924</b>				<b>1</b>	<b>13</b>	<b>0</b>
<b>MAT NORTH (7)</b>														
<b>Binga</b>	Joel Gabuza	21906	George Nyathi	7264			1265	30435	52.64	57817	<b>1</b>			
<b>Bubi Umuza</b>	Jacob Thabane Mabhikwa	9502	Obert Mpofu	15158			806	25466	45.52	55945			<b>1</b>	
<b>Hwange East</b>	Theminkosi Sibindi	9488	Thokozile Mathuthu	8203	Peter Nyoni (Ind)	631	480	18802	46.63	40322	<b>1</b>			
<b>Hwange West</b>	Jealous Sansole	10415	Siphiwe Mapuwe	4899			343	15657			<b>1</b>			
<b>Lupane</b>	Njabuliso Mguni	11749	Martin Khumalo	10301			691	22741	47.46	47916	<b>1</b>			
<b>Nkayi</b>	Abednico	16513	Thembanani Obadiah	7254			1027	24794	45.52	54468	<b>1</b>			

	Bhebhe		Moyo											
<b>Tsholotsho</b>	Mtoliki Sibanda	6310	Musa Ncube	5648	Jonathan Moyo (Ind)	8208	591	20757		39.27	52857			<b>1</b>
<b>Provincial total</b>		<b>85883</b>		<b>58727</b>		<b>8839</b>	<b>5203</b>	<b>158652</b>				<b>5</b>	<b>1</b>	<b>1</b>
<b><u>MAT SOUTH (7)</u></b>														
<b>Beitbridge</b>	Murunwa Siphuma	6297	Kembo Mohadi	14305	Sibongile Sibanda (Zanu)	550	816	21968	7.4	41.86	52480		<b>1</b>	
<b>Bulilima</b>	Moses Ndlovu	10528	Lungisani Nleya	6775			655	17958	8.9	34.48	52082	<b>1</b>		
<b>Gwanda</b>	Paul Themba Nyathi	10951	Abednico Ncube	13109			524	24584	5.2	46.98	52329		<b>1</b>	
<b>Insiza</b>	Siyabonga Ncube	8840	Andrew Langa	12537			722	22099	7.6	49.12	44990		<b>1</b>	
<b>Mangwe</b>	Edward Mkhosi	10145	Eunice Moyo	5723			546	16414	8.4	37.53	43736	<b>1</b>		
<b>Matobo</b>	Lovemore Moyo	10074	Ananias Nyathi	9572			611	20257	7.7	42.45	47720	<b>1</b>		
<b>Umzingwane</b>	Nomalanga Khumalo	13198	Sipambekile Damasane	8784			645	22627	5.7	44.54	50802	<b>1</b>		
<b>Provincial total</b>		<b>70033</b>		<b>70805</b>		<b>550</b>	<b>4519</b>	<b>145907</b>	<b>7.3</b>			<b>4</b>	<b>3</b>	<b>0</b>
<b><u>MIDLANDS (16)</u></b>														
<b>Chirumanzu</b>	Fambisai Mavindidze	4971	Edwin Muguti	13373	Wilbroad Kanoti (Ziya)	322	674	19340		48.08	40225		<b>1</b>	
<b>Gokwe</b>	Aaron Chinhara	8987	Lovemore Mupukuta	14113			557	23657		52.67	44916		<b>1</b>	
<b>Gokwe Chireya</b>	Sibangani Mlandu	8951	Leonard Chikomba	18111			1245	28307		56.40	50190		<b>1</b>	
<b>Gokwe Kana</b>	Lameck Muyambi	6306	Jaison Machaya	16568			980	23854		54.77	43553		<b>1</b>	
<b>Gokwe Nembudziya</b>	Farai Magaya	7104	Flora Buka	23664			1078	31846		58.61	54335		<b>1</b>	
<b>Gokwe Sengwa</b>	Tongai Choga	9048	Esther Nyauchi	17922			1040	28010		56.72	49383		<b>1</b>	
<b>Gweru Rural</b>	Renson Gasela	8230	Josephat Madubeko	11226			538	19994		45.07	44362		<b>1</b>	
<b>Gweru Urban</b>	Timothy Mukahlera	8011	Enos Size	5689			155	13855		36.55	37907	<b>1</b>		
<b>Kwekwe</b>	Blessing Chebundo	12989	Emmerson Mnangagwa	11124			276	24389		44.76	54488	<b>1</b>		
<b>Mberengwa East</b>	Sekai Holland	2297	Rugare Gumbo	17915	Goodwill Shiri (Ind)	3678		23890					<b>1</b>	

<b>Mberengwa West</b>	Tinozivashe Mpofu	4730	Jorum Gumbo	17533			803	23066		47.62	48438		1	
<b>Mkoba</b>	Amos Chibaya	10191	Paul Chigango	5608			135	15934				1		
<b>Shurugwi</b>	Bonface Mpedzisi	5113	Francis Nhema	16212				21325					1	
<b>Silobela</b>	Abednico Malinga	12293	Thomas Themba Ndebele	8768			424	21485		45.04	47702	1		
<b>Zhombe</b>	Edson Nyathi	8579	Daniel Mackenzie Ncube	14750			721	24050		51.15	47019		1	
<b>Zvishavane</b>	Simon Dick	8388	Obert Matshalaga	16311			488	25187		44.76	56271		1	
<b>Provincial total</b>		<b>126188</b>		<b>228887</b>		<b>4000</b>	<b>9114</b>	<b>368189</b>				<b>4</b>	<b>12</b>	<b>0</b>
<b>National total</b>		<b>1041239</b>		<b>1569807</b>		<b>23486</b>	<b>65021</b>	<b>2699553</b>	<b>9.0</b>			<b>41</b>	<b>78</b>	<b>1</b>

